

BENEFITS TO FORMER PRESIDENTS

HEARING BEFORE THE COMMITTEE ON GOVERNMENTAL AFFAIRS UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

SECOND SESSION

ON

S. 1325

TO REFORM THE LAWS RELATING TO FORMER PRESIDENTS

SEPTEMBER 22, 1982

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CONTENTS

Opening statements:	Page
Senator Roth	1
Senator Pryor	5
Senator Sasser	5
Senator Chiles	6

WITNESSES

WEDNESDAY, SEPTEMBER 22, 1982

Robert M. Warner, Archivist, National Archives and Records Service, General Services Administration, accompanied by James E. O'Neill, Assistant Archivist for Presidential Libraries; and Raymond A. Fontaine, Assistant Administrator, Plans, Programs, and Evaluation, General Services Administration, accompanied by William B. Early, Jr., Director of Budget	13
Robert E. Powis, Deputy Assistant Secretary (Enforcement), Department of the Treasury, accompanied by John R. Simpson, Director, U.S. Secret Service, and J. Robert McBrien, Deputy, Security Affairs and Crisis Management	35
William J. Anderson, Director, General Government Division, General Accounting Office, accompanied by Nye Stevens, Group Director, General Government Division, and Kenneth Mead, Office of General Counsel	48

ALPHABETICAL LIST OF WITNESSES

Anderson, William J.:	
Testimony	48
Prepared statement	53
Responses to written questions submitted by Senator Roth	55
Responses to written questions submitted by Senator Chiles	56
Early, William B., Jr.: Testimony	13
Fontaine, Raymond A.:	
Testimony	13
Prepared statement	29
Responses to written questions submitted by Senator Roth	30
Responses to written questions submitted by Senator Chiles	32
McBrien, J. Robert: Testimony	35
Mead, Kenneth: Testimony	48
O'Neill, James E.: Testimony	13
Powis, Robert E.:	
Testimony	35
Prepared statement	43
Responses to written questions submitted by Senator Chiles	45
Simpson, John R.: Testimony	35
Stevens, Nye: Testimony	48
Warner, Robert M.:	
Testimony	13
Prepared statement	27
Responses to written questions submitted by Senator Roth	30
Responses to written questions submitted by Senator Chiles	32

IV

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

	Page
"Cost Related to Former Presidents and Their Widows," chart.....	4
Letter to Senator Roth from David A. Stockman, Director, Office of Management and Budget, September 28, 1982.....	25
Text of S. 1325.....	59
"Presidential Library Study," General Services Administration, May 16, 1980.....	81

BENEFITS TO FORMER PRESIDENTS

WEDNESDAY, SEPTEMBER 22, 1982

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, D.C.

The committee met at 10:05 a.m., in room 3302, Dirksen Senate Office Building, Hon. William V. Roth, Jr. (chairman of the committee) presiding.

Present: Senators Roth and Chiles.

OPENING STATEMENT OF SENATOR ROTH

Chairman ROTH. The committee will be in order.

Today the Governmental Affairs Committee convenes a hearing concerning the costs to the taxpayers of the Federal benefits provided to our former Presidents and their families. There are a wide variety of benefits accorded to former Presidents ranging from Secret Service protection to the provision of office space, staff, and equipment.

I think the significant thing is that the level of these benefits has grown tremendously over the last two decades. I believe it is appropriate to ask ourselves whether we are not now in danger of creating an "Imperial ex-Presidency."

Let me start by saying that I think the American people want former Presidents to be treated with dignity and grace. By convening this oversight hearing I do not intend in any way to tarnish or downgrade the respect that should be accorded our former Presidents, who continue to provide this service to the Nation in many ways.

But dignity and opulence should not be confused. I think at this time it is appropriate to review the laws we have passed to provide benefits to those who have occupied the Office of the Presidency to determine whether or not the levels of support provided are out of proportion with the role and functions of the ex-Presidency.

We do not enrich the ex-Presidency if we provide unrestrained or excessive benefits and funding, especially in these times of budget restraints. Ironically, we could cheapen it in the eyes of the taxpayer by appearing to create a special gilded cage, isolated from the public and living in splendor off of their taxes.

I think it is interesting if you look at the chart to my left, that the benefits of former Presidents have increased by more than 40 times since 1965.¹ Now, admittedly, there are probably more ex-

¹ See p. 4.

Presidents today than there have been in the past, and that's to be factored in, but that is a tremendous jump.

Equally important is the fact that not only have the costs increased, but the benefits have been expanded. Former Presidents now receive Federal funds to pay for office space and equipment—I might add that in the case of office space they can pretty much choose where they want their offices. It is not limited to Federal buildings and there is no dollar limitation. They also are provided travel expenses, a personal staff and mailing privileges.

Much of this is good. I think it is important that our former Presidents keep in communication with the American people who want to write and consult with them. Ex-Presidents are also protected 24 hours around the clock, 7 days a week, by the Secret Service. I think all Americans want to insure the safety of former Presidents. I do think, however, a legitimate question is raised as to whether a former President needs lifetime protection or whether further service can't be provided on the basis of need, much as is the case with other public servants.

The papers of former Presidents are stored at Federal expense, and Federal funds are used to maintain and administer libraries in various parts of the country that house these papers for many of the former Presidents.

Again, I think these libraries are national treasures. But shouldn't there be some kind of limit as to how much it should cost the Government to maintain these buildings, with the additional cost being supported by private sources?

In short, it would appear that the taxpayers have assumed the role of guardian to the ex-Presidents and many aspects of their lives are supported by Federal funds. With the enactment of the Former Presidents Act of 1958, Congress essentially established an Office of the ex-Presidents. These laws have been expanded in many ways, and these are some of the things that we will want to be looking into this morning.

Americans realize that the Presidents continue in public life long after leaving office. They do not want to see their former President reduced to huckstering and handouts to keep "ahead of the hounds," as Harry Truman once put it. The ex-Presidency is, and should remain, a position of security and prestige. Former Presidents should be able to serve in dignity as advisers and counselors to our Nation and its leaders.

This does not mean ex-Presidents must live regally at the taxpayers' expense. The public has never tolerated an Office of the Presidency which has the trappings of royalty, and those who are in the shadow of the former Presidency must also abide by that sentiment.

This hearing will give us the opportunity to explore this issue, and I want to acknowledge and congratulate both Senator Chiles and Senator Pryor, who hopefully will be able to join us, on the work that they have done on this issue during the last 3 years. They have joined together to draft a bill to restrain the costs of benefits to former Presidents. It has been referred to this committee. I welcome their participation.

It is my hope that later, or probably sometime next week, that we can have a markup on this legislation so that the matter can be

considered by the full Senate when we reconvene later this year or early next year.

[Chairman Roth's prepared statement, with attachments, follows:]

PREPARED STATEMENT OF SENATOR WILLIAM V. ROTH, JR.

Today, the Governmental Affairs Committee convenes a hearing concerning the costs to the taxpayers of the Federal benefits provided to our former Presidents. There are a wide variety of benefits which are provided to former Presidents ranging from Secret Service protection to the provision of office space and equipment. The level of these benefits has grown tremendously over the last two decades and I believe it is appropriate to ask ourselves whether we are not now in danger of creating an "Imperial Ex-Presidency."

I do not intend by convening this oversight hearing to in any way tarnish or downgrade the dignity that should be accorded to our former Presidents. Dignity and opulence are not equivalent however, and it is appropriate to review the laws we have passed which provide benefits to those who have occupied the office of the Presidency to determine whether or not the levels of support provided is out of proportion to the role and functions of the ex-Presidency. We don't enrich the ex-Presidency if we provide unrestrained or excessive benefits and funding. Ironically, we could cheapen it in the eyes of the taxpayer by appearing to create a special gilded cage, isolated from the public and living in splendor off of their taxes.

As can be seen on the chart to my left, benefits to former Presidents have increased by more than 40 times since 1965.¹ If the median price of a house had jumped as quickly since that date it would now cost \$800,000 to buy the average single-family home. Clearly the costs of these benefits have expanded dramatically over the last two decades.

Even more important however, is the fact that these benefits have been expanded to cover many areas that were never before funded. Former Presidents now receive federal funds to pay for office space and equipment, pensions, travel, a personal staff and mailing privileges. They are protected 24 hours around the clock, seven days a week by the Secret Service. Their papers are stored at Federal expense and Federal funds are used to maintain and administer libraries in various parts of the country that house these papers for many of the former Presidents. The costs of moving out of office and resuming a less public life are also funded through special transition funds at a level of one million dollars.

In short, the taxpayers have assumed the role of guardian to the ex-Presidents and many aspects of their lives are supported by federal funds. With the enactment of the Former Presidents Act of 1958, Congress essentially established an office of the ex-President. Since the enactment of this law, several additional laws and amendments have been enacted refining and expanding on the originally minimal benefits offered in 1958. More laws have been enacted in the last 30 years dealing with the support of the former Presidents than in the entire 150 years before. Unfortunately, these laws have been enacted in a haphazard fashion so that we now have a patchwork quilt of laws which themselves have been patched over with amendments and regulations.

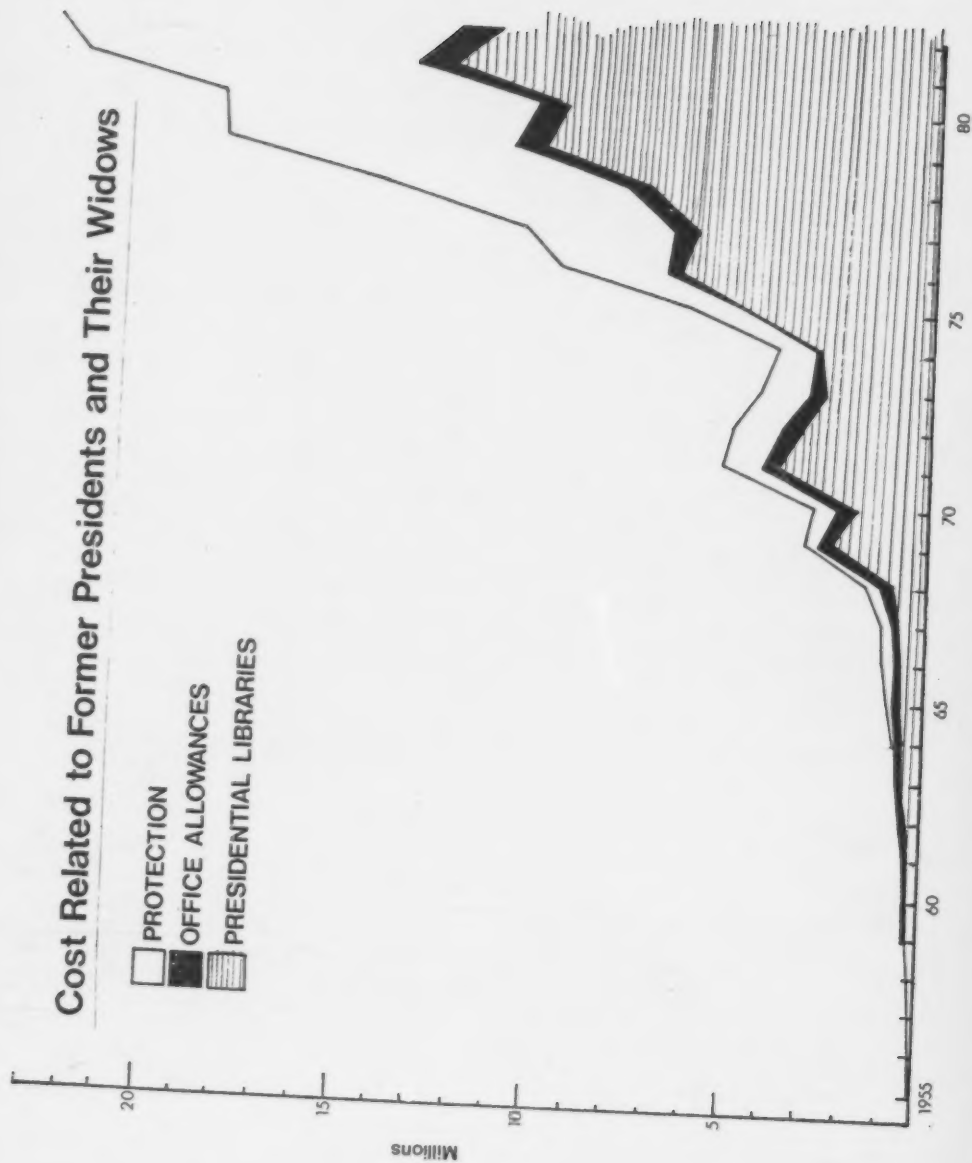
Americans realize that Presidents continue in public life long after leaving office. They do not want to see their former Presidents reduced to huckstering and hand-outs to keep "ahead of the hounds" as Harry Truman once put it. The ex-Presidency is, and should remain, a position of security and prestige and former Presidents should be able to serve in dignity as advisors and counselors to our nation and its leaders.

This does not mean ex-Presidents must live regally at the taxpayers' expense. The public has never tolerated an office of the Presidency which has the trappings of royalty. Those in the shadow of the Presidency, the former occupants of that office, must also abide by that sentiment.

This hearing will give us the opportunity to explore this issue and before we begin I would like to acknowledge the work devoted by Senators Pryor and Chiles to this issue over the last three years. They joined together to draft a bill to restrain the costs of benefits to former Presidents, which has been referred to the committee and I welcome their participation at today's hearing.

¹ See p. 4.

Cost Related to Former Presidents and Their Widows



Chairman ROTH. At this time, I would call on Senator Chiles.

Senator CHILES. Mr. Chairman, I want to commend you and thank you for calling these hearings. I want to say I would like to submit a statement for Senator Pryor at this time. He hopes to be here. He is feeling a little under the weather today, but of course he has worked long and hard on this legislation.

Chairman ROTH. So ordered. Senator Sasser has a statement which will be entered following the statement of Senator Pryor.

[The prepared statements of Senators Pryor and Sasser follow:]

OPENING STATEMENT OF SENATOR DAVID PRYOR

Mr. Chairman, as a cosponsor of S. 1325, the "Former Presidents' Facilities and Services Reform Act of 1981" introduced by the distinguished Senator from Florida, Mr. Chiles, I am pleased to join in today's oversight hearing on former Presidents. Hearings on this subject were first initiated more than 3 years ago by Senator Chiles and myself and the attention of Congress is still needed.

The services and activities currently provided to our former Presidents are extremely expensive and the cost is growing at an alarming rate. In 1955 the cost of former Presidents to the public was only \$64,000. In fiscal year 1981 an estimated \$22 million was spent—an amount which exceeded the appropriation for the entire White House operation. The fiscal year 1983 budget for operation and maintenance of Presidential libraries is \$15.3 million. The projected cost of providing protection to former Presidents and their families is expected to exceed \$10 million for fiscal year 1982. A little over a decade ago, in fiscal year 1970, the library costs were less than \$2 million and protection costs were about \$730,000. Action to control these proliferating costs is badly needed.

It has become apparent over recent months and years that the American taxpayers want all federal expenditures reviewed and where appropriate reduced. They believe, as I do, that these programs must not be an exception to this rule.

S. 1325 is designed to control the more than \$22 million being spent each year for Presidential pensions, office staff allowances, Presidential libraries and secret service protection to former Presidents and their families. This legislation introduces controls in this area, while not compromising the integrity of the office or the level of necessary benefits.

S. 1325 was developed as a result of hearings in the 96th Congress held jointly by the Governmental Affairs Subcommittee on Civil Service and General Services and the Appropriations Subcommittee on Treasury, Postal Service and General Government. These hearings called attention to the ambiguities and deficiencies present in the current statutes. Funds for support services and benefits for former Presidents are provided pursuant to two statutes, the Former Presidents Act and the Transition Act. Government Services to the former Presidents are provided by the General Services Administration. The weaknesses have been noted in reports by the General Accounting Office and others. I believe everyone concerned with these statutes, including former Presidents and their families will welcome further clarification of these provisions of law.

This legislation will provide guidelines that will apply to Presidential libraries and reduce costs. It will place ceilings on the funds authorized for the staffs and office expenditures of former Presidents. It will also limit the duration of protection for former Presidents and their families.

The legislation will also resolve inconsistencies between the Former Presidents Act and the Transition Act by removing former Presidents from coverage under the Transition Act and assure that federal funds may not be used for partisan political or income generating activities.

This legislation should provide for better oversight and control over the rapid growth of federal expenditures. It maintains and improves these necessary programs while also responding to the interest of the taxpayers. I welcome the opportunity to update our committee record on this issue and I look forward to further action on this legislation.

OPENING STATEMENT OF SENATOR JIM SASSER

Mr. Chairman, I commend you for holding this hearing on S. 1325, the former Presidents Facilities and Services Reform Act. I am pleased to be an original cosponsor of this legislation to make the payment of Government benefits and the pro-

vision of Government services to former Presidents and their families more realistic.

With the many cutbacks in Federal spending for so many programs that provide services to American citizens of all income levels, I think that it is even more imperative that we adjust these expenditures for former Presidents. The costs of these benefits have increased more than 40 times since 1965. For fiscal 1981, taxpayers footed a 22 million dollar bill on ex-President's pensions, offices and staff, libraries and secret service protection.

For that year, in fact, it cost the taxpayers more to keep former Presidents and their families than it did to finance the entire current White House operation. In other words, the costs for keeping our country's ex-Presidents is excessive. We can protect these very important families, help them organize their papers and meet their needs for a dignified life very well at a lesser cost to the Government.

S. 1325, the legislation before us on which testimony is given in this hearing, is based on work done in this area in the 96th Congress on benefits for former Presidents. It also corrects weaknesses pointed out in reports by the General Accounting Office. I believe that the time has come to finish the extensive work that the Governmental Affairs Committee has done on this bill over two Congresses.

This legislation introduces controls on the pensions paid to former Presidents and their families. It provides guidelines to reduce the cost of Presidential libraries. It caps expenditures for offices and staffs for former Presidents. And it places limits on Secret Service protection for them.

I believe that this is in line with our committee effort to provide oversight and guidelines for all areas of Federal expenditures. And I believe it is in line with the original intent of the Former President's Act of 1958.

OPENING STATEMENT OF SENATOR CHILES

Senator CHILES. The question of what benefits and services should be provided to former Presidents, and what the role of former Presidents should be, is one that has puzzled many people over the years.

I believe that our policy certainly should be to make sure that each President is able to lead a dignified retired life, free from danger, and should have the ability to respond to the many requests he receives as a result of his services as President.

The original purpose of the various laws governing former Presidents reflect that belief. However, as has been noted, the program itself has grown out of control, and it shows no sign of stopping. Today, we have entered the era of the imperial former Presidency, with lavish libraries, special staffs and benefits, around-the-clock Secret Service protection, and other badges of special privilege.

I first became involved in this back in 1979, when I was chairman of the Appropriations Subcommittee that funds the Secret Service. I heard from Secret Service agents themselves concerning the morale problems that come up in connection with providing around-the-clock protection for the widows of former Presidents. It is pretty frustrating to sit and look through some binoculars at the residence of Bess Truman or Mamie Eisenhower 24 hours a day when they don't leave that residence; when nothing is happening; when there apparently is no threat being posed to these people. Of course, this situation was driving agents bonkers. They were having to plan all kinds of special programs to take care of this group at the same time as we saw a tremendous threat to the Office of the Presidency itself, and other areas that the Secret Service should be protecting.

That subcommittee also set the funding for Presidential libraries, and in 1979, with a new library coming on line together with additions to already existing libraries in the works, I thought it was

time to try to get a handle on the size and the scope of the programs the Government provided for former Presidents.

Around the same time, Senator Pryor, in his capacity as chairman of the Governmental Affairs Subcommittee on Civil Service, had taken an interest in the costs of providing staffing support for former Presidents. So we got together and held joint hearings in December of 1979. Those 3 days of hearings focused on the history of our former Presidents, the kinds of programs and benefits available to them and the laws which established those programs, and the original purpose Congress had in mind when it established those laws.

We heard from the Federal agencies which administer programs for former Presidents, from the General Accounting Office, which had just completed a study of the costs involved in the programs, and from scholars and archivists who gave us some historical background into the roles our former Presidents have played since the beginning of the Republic.

Once the hearings had begun, we pored over the recommendations and findings and put together a bill, S. 2408, to address the problems we had uncovered. S. 2408 was introduced in March of 1980, and, despite the length of time that remained in the 96th Congress at the time that we introduced it, we were able to make significant progress on the proposal.

We received comments from the General Accounting Office and from the agencies involved in administering benefits and services. We also asked for comments from our former Presidents, and from their families. We worked with the administration, we met with former President Ford and with interested Senators, and, as Congress adjourned, I felt we were very close to having a proposal that could pass the Congress and become law.

Last year, we incorporated many of the changes and suggestions we received on S. 2408 into a new former Presidents bill, and along with 13 other Senators we introduced it as S. 1325, the Former Presidents Facilities and Services Reform Act of 1981. Agency comments were asked for and received, and just 1 year ago today, we heard comments on the issue of Secret Service protection of former Presidents and their families from the head of the Secret Service. With today's hearings, we will have a chance to get the present administration's position on the issue of programs for former Presidents, and hopefully, come up with a bill that can quickly move through the Congress.

Although some of the details of our proposals to reform benefits for former Presidents have changed over time, the general aims remain the same. The bill was drafted with the idea that a former President ought to be able to lead a dignified retired life, secure from threats, and with enough financial stability that he would not be forced to take a job which would compromise his former position as President. That much, I believe, we can and should provide to our former Presidents. However, today's system does much more than that. In fact, as we mentioned earlier, we see this ever-escalating growth in the cost to the taxpayers of these programs for former Presidents, with little likelihood that the ever-growing costs are ever going to be brought under control.

In our hearings in 1979, the GAO showed that the costs of maintaining former Presidents had grown from \$64,000 in 1955 to over \$18 million that year. We recently updated those figures and found projected costs of over \$27 million for 1983, compared to a cost of \$22 million to operate the White House Office.

I understand that the GSA is using a new system to estimate some of the costs associated with the rent for Presidential libraries, and that new system may lower the cost figures.

Regardless of that, the key fact remains, and that is that the costs of services and benefits we provide to former Presidents continues to rise, with no end in sight.

The three titles of S. 1325 are designed to bring this cost escalation to a halt, and to restore the operation of the former Presidents program to the original intent. Title I deals with Presidential libraries. It keeps today's system of decentralized libraries in place, but it places a limit on the Government's obligation to maintain the libraries.

Currently, Presidential libraries are built with private funds and maintained and operated with public money. In practice, the Government has no control over the size of the configuration of the building that it will be asked to maintain and operate for years, or decades. Furthermore, the character of Presidential libraries has changed over the years. What were originally supposed to be depositories of a President's papers to be studied by historians and archivists have become elaborate museums. Only about 1 percent of the visitors to Presidential libraries today are scholars. The rest are tourists, who come to see the Presidential museum.

S. 1325 would restore the libraries program to its original intent. It sets a limit on Presidential libraries of 40,000 square feet, 50 percent less than the average size of the existing libraries. It calls for each library to comply with architectural and design standards, and it sets a limit on the size of museum space.

I believe that it provides wholly adequate space for the archival depository, and a modest museum. Former Presidents would be free to build larger museums, but the Government would not have to foot the bill to maintain them.

The second part of the bill deals with staff and offices for the former Presidents. Each former President would be entitled to one office, and would receive a staff allowance that would be reduced the longer the President has been out of office.

This reduction in time reflects the fact that the former Presidents are most likely to have the greatest demands on their time in the first years they are out of office. It also prohibits the use of Federal funds for partisan political purposes or for private income generating purposes, and specifies that if a former President uses Government funds to prepare his memoirs, then the receipts from the sale of the memoirs will go to the U.S. Treasury.

Finally, it raises the pension provided to widows of former Presidents. I think that is something that is long overdue, this adjustment to the pension which is now only \$20,000 a year.

The third part of the bill deals with Secret Service protection for former Presidents and their families. Today, around-the-clock protection is given not only to the former Presidents, but also to their

spouses, their minor children and to the widows of former Presidents.

The cost of providing protection to former Presidents and their families came to an estimated \$10.3 million in fiscal year 1982. S. 1325 would eliminate Secret Service protection for spouses, minor children and widows of former Presidents. It also allows for Secret Service protection for former Presidents themselves to be terminated after a former President has been out of office for 8 years.

By that time, any threats to the former President arising from his service to the country should have ended. However, the bill recognizes that from time to time, a threat could arise. Therefore, it sets up a special commission that will be able to reinstate Secret Service protection for a former President during periods of actual threat.

We set up this independent panel outside the chain of authority for providing Secret Service protection. The result will be a substantial savings in cost, as well as a program more in line with what I believe should be the basic purpose of providing Secret Service protection to former Presidents: That is the protection from threats which arise as a result of service as President.

Taken together, I believe these reforms will stop what has become a pattern of uncontrolled growth in programs for former Presidents. By doing that, we will not singlehandedly balance the budget and end the economic problems facing us. But it will do several very important things.

First, it will restore former Presidents programs to their original intent. It will insure that they can live a dignified retired life. Originally the program was established for people like Harry Truman, who was so strapped for cash because he had to spend half of his income to handle his mail, his phone calls, and his requests for speeches.

If we will remember, Harry Truman, when he left office, got into his car and drove himself and his family home to Missouri. He himself handled all of his mail, and some people realized that he was in a bad financial situation because he was doing that.

There were people that wanted to hire former President Harry Truman. He said, "I could never lend myself to any transaction, however respectable, that would commercialize the prestige and dignity of the Office of the Presidency," and he never knew whether they were interested in hiring Harry Truman the person or they wanted to hire the former President of the United States.

The original intent of the former President's program was to make sure that the prestige and dignity of the Office would never be compromised.

At one time, we found from our historians that former Presidents, the only occupation they really could do would be gentlemen farmers when they went home. It was deemed to be improper for them to engage in any form of gainful commerce. Well, those things have changed a little bit now. We don't see that taboo, and I think maybe that is healthy. This doesn't seem to be handicapping former Presidents nowadays.

I don't know of any of them that are financially strapped or that are not able to get on a sufficient number of corporate boards. Today they find themselves with handsome incomes from their con-

sulting activities or their board activities, as well as their memoirs, which always seem to be something that they look forward to writing.

Second, I think that we realize that by cutting back benefits and the overall growth of former President's programs, S. 1325 responds to the fairness concerns that many have raised in connection with the treatment of former Presidents.

Remember, a former President has no official responsibility or duty. Yet he gets a staff, an office and around the clock Secret Service protection.

In many ways, he continues to receive all of the benefits that a President receives without any of the responsibilities that go with the office. Today, at a time when we are trying to cut the Federal deficit and asking people in all walks of life to make sacrifices, it is difficult to justify why the Government should continue to give so much to our former Presidents.

However, unless we change current laws, the current system will continue in place.

I want to point out here that these current laws are under scrutiny not because of anything that the former Presidents themselves are doing at the present. These are laws that were passed by the Congress, and if Congress doesn't do something about them, then the present state of affairs will continue in just the same manner.

I don't mean for any of my statements to be a slur against any of the former Presidents. In fact, the ones I have heard from have said, in effect, "Congress has set the present laws up. It is up to Congress to look at them," and they have given us their advice.

The proper role for a former President has been an issue that has faced this country since its earliest days. Harry Truman used to quote some of the discussions of our Founding Fathers in talking about the role of former Presidents. He quoted Benjamin Franklin, and I would like to share Ben Franklin's words on former Presidents that President Truman quoted.

Franklin said: "In free government, the rulers are the servants and the people their superiors and sovereigns. For the former to return among the latter is not to degrade them but to promote them."

I think it is time that we started looking at how we can promote some of our former Presidents a little bit more by doing something about pruning back the provisions of this law.

Thank you, Mr. Chairman.

[Senator Chiles' prepared statement follows:]

PREPARED STATEMENT OF SENATOR CHILES

Mr. Chairman, I want to commend you and thank you for calling these hearings. The question of what benefits and services should be provided to former Presidents, and what the role of former Presidents should be, is one that has puzzled many people over the years. I believe that our policy should be to make sure that each former President is able to lead a dignified retired life, free from danger, and should have the ability to respond to the many requests he receives as a result of his service as President. The original purpose of the various laws governing former Presidents reflect that belief. However, the program itself has grown out of control, and shows no sign of stopping. Today, we have entered the era of the Imperial Former Presidency, with lavish libraries, special staffs and benefits, around-the-clock Secret Service protection, and other badges of special privilege.

I first became involved in this issue back in 1979, when I was the Chairman of the Appropriations Subcommittee on Treasury, Post Office and General Government, the committee that funds the Secret Service, among other things. I heard from Secret Service agents concerning the morale problems which came up in connection with providing around-the-clock protection for the widows of former Presidents. That subcommittee also set the funding for Presidential Libraries, and in 1979, with a new library coming on line and with additions to already existing libraries in the works, I thought it was time to try to get a handle on the size and the scope of the programs the government provided for former Presidents. Around the same time, Senator Pryor, in his capacity as Chairman of the Governmental Affairs Subcommittee on Civil Service, had taken an interest in the costs of providing staffing support for former Presidents. So we got together and held joint hearings in December of 1979. Those three days of hearings focused on the history of our former Presidents, the kinds of programs and benefits available to them today, the laws which established those programs, and the original purpose Congress has in mind when it established those laws. We heard from the Federal agencies which administer programs for former Presidents, from the General Accounting Office, which has just completed a study of the costs involved in the programs, and from scholars and archivists who gave us some historical background into the roles our former President have played since the beginning of the Republic.

Once the hearings had been completed, we poured over the recommendations and findings we had come up with, and put together a bill, S. 2408, to address the problems we had uncovered in the hearings. S. 2408 was introduced in March of 1980, and, despite the fact that little time remained in the 96th Congress at the time that we introduced it, we were able to make significant progress on the proposal. We received comments from the General Accounting Office and from the agencies involved in administering benefits and services to former Presidents. We also asked for comments from our former Presidents, and from their families. We worked with the Administration, we met with former President Ford and with interested Senators, and, as Congress adjourned, I felt that we were very close to having a proposal that could pass the Congress and become law.

Last year, we incorporated many of the changes and suggestions we had received on S. 2408 into a new former Presidents bill, and along with 13 other Senators, introduced it as S. 1325, the Former Presidents Facilities and Services Reform Act of 1981. Agency comments were asked for and received, and just one year ago today, we heard comments on the issue of Secret Service Protection of former Presidents and their families from the head of the Secret Service. With these hearings, we will have a chance to get this Administration's position on the issue of programs for former Presidents, and hopefully, come away with a bill that could quickly move through the Congress.

Although some of the details of our proposals to reform benefits for former Presidents have changed over time, the general aims remain the same. The bill was drafted with the idea that a former President ought to be able to lead a dignified retired life, secure from threats, and with enough financial stability that he would not be forced to take a job which would compromise his former position as President. That much, I believe, we can and should provide to our former Presidents. However, today's system provides much more than that, and in fact establishes something that is more along the lines of an "Imperial Former Presidency" I mentioned earlier. The result has been an ever escalating growth in the costs to the taxpayers of these programs for former Presidents, with little likelihood that those ever growing costs will ever be brought under control. At our hearings back in 1979, the General Accounting Office showed that the costs to maintain former Presidents had grown from \$64,000 in 1955 to over \$18 million that year. We recently updated those figures and found a projected cost of over \$27 million in fiscal year 1983, compared to a cost of \$22 million to operate the White House office. I understand that the General Services Administration is using a new system to estimate some of the costs associated with Presidential Libraries, and that this new system may lower the cost figures. Regardless of the merits of that new system, the key fact remains, and that fact is that the costs of the services and benefits we provide to former Presidents continues to rise, with no end in sight.

The three titles of S. 1325 are designed to bring this cost escalation to a halt, and to restore the operation of former Presidents programs to their original intent. Title I of the bill deals with Presidential libraries. It keeps today's system of decentralized libraries in place, but it places a limit on the government's obligation to maintain the libraries. Currently, Presidential libraries are built with private funds, maintained and operated with public money. In practice, the government has no control over the size or the configuration of a building that it will be asked to main-

tain and operate for years, or decades. Furthermore, the character of Presidential libraries has changed over the years. What originally were supposed to be depositories of a President's papers to be studied by historians and archivists have become elaborate museums. Only about 1 percent of the visitors to Presidential libraries today are scholars. The rest are tourists, who come to see the Presidential museum. It is worth remembering that Presidential papers belong to the government, not to the former President, and that the papers of most of our Presidents, including Washington, Jefferson, Jackson, Lincoln, Teddy Roosevelt and Wilson, are housed in the Library of Congress. Today's system, by contrast, makes each former President try to out do his predecessor, and you end up with huge marble pyramids glorifying each President. It is like a series of monuments to the pharaohs.

S. 1325 would restore the libraries programs to its original intent. It sets a limit on Presidential libraries of 40,000 square feet, about 50 percent less than the average size of existing libraries. It calls for each library to comply with architectural and design standards, and it sets a limit on the size of museum space for an archival depository and a modest museum. Former Presidents would be free to build larger museums, but the government would not foot the bill to maintain them.

The second part of the bill deals with staff and offices for former Presidents. Each former President would be entitled to one office, and would receive a staff allowance that would be reduced the longer the former President has been out of office. This reduction over time reflects the fact that former Presidents are most likely to have the greatest demands on their time in the first years that they are out of office. It also prohibits the use of Federal funds for partisan political purposes or for private income generating purposes, and specifies that if a former President uses government funds to prepare his memoirs, then the receipts from the sale of the memoirs will go into the United States Treasury. Finally, it raises the pension provided to widows of former Presidents.

The third part of the bill deals with Secret Service protection for former Presidents and their families. Today, around-the-clock protection is given not only to former Presidents, but also to their spouses, their minor children and to the widows of former Presidents. The cost of providing protection to former Presidents and their families came to an estimated \$10.3 million in Fiscal Year 1982. S. 1325 would eliminate Secret Service Protection for spouses, minor children and widows of former Presidents. It also allows for Secret Service protection for former Presidents themselves to be terminated after a former President has been out of office for eight years. By that time, any threats to a former President arising from his service to the country should have ended. However, the bill recognizes that from time to time, a threat could arise. Therefore, it sets up a special Commission that would be able to reinstate Secret Service Protection for a former President during periods of actual threat. We set up this independent panel outside of the chain of authority for providing Secret Service protection. The result would be a substantial savings in cost, as well as a program which is more in line with what I believe should be the basic purpose of providing Secret Service protection to former Presidents, and that is protection from threats which arise as a result of service as President.

Taken together, I believe that these reforms will stop what has become a patter of uncontrolled growth in programs, for former Presidents. By doing that, we will not singlehandedly balance the budget and end the economic problems facing us. But it will do several very important things.

First, it will restore former Presidents programs to their original intent, and insure that former Presidents can live a dignified retired life. Originally the program was established for people like Harry Truman, who was so strapped for cash because he had to spend half his income to handle his mail, phone calls, and requests for speeches. Truman talked about the job opportunities he had when he left office. He said: "I know that they were not interested in hiring Harry Truman the person. They wanted to hire the former President of the United States. I could never lend myself to any transaction, however respectable, that would commercialize the prestige and dignity of the office of the Presidency." The original intent of former Presidents programs was to make sure that the prestige and dignity of the office would never be compromised. The uncontrolled growth in the program however, has run far afield of this basic original purpose. We can afford to give each former President a dignified retired life. However, we cannot and we should not foot the bill for allowing each former President to become a millionaire.

Second, I believe that S. 1325, by cutting back benefits and the growth in former Presidents programs, responds to the fairness concerns that many have raised in connection with the treatment of our former Presidents. Remember, a former President has no official responsibilities and duties, yet he gets a staff, an office and around-the-clock Secret Service protection. In many ways, he continues to receive

the benefits a President receives, but without any of the responsibilities that go with the office. Today, at a time when we are trying to cut the Federal deficit and we are asking people in all walks of life to make sacrifices, it is difficult to justify why the government should continue to give so much to our former Presidents.

However, unless we change present laws, that current system will continue in place and in fact will grow. By passing this bill, we can reverse that trend, provide more equity, save the taxpayers' money and restore our former Presidents programs to their original purposes.

The proper role for a former President has been an issue that has faced this country since its earliest days. Harry Truman liked to quote some of the discussions of our founding fathers in talking about the role of former Presidents. He quoted Benjamin Franklin, and I would like to share Ben Franklin's words on former Presidents with my colleagues. Franklin said: "In free government the rulers are the servants and the people their superiors and sovereigns. For the former to return among the latter is not to degrade them but to promote them."

Mr. Chairman, in closing, let me thank you once again for holding these hearings, and say that I stand ready to do whatever I can to work to get this proposal passed into law.

Chairman ROTH. Thank you, Senator Chiles.

At this time we have before us Dr. Robert Warner, Archivist for the National Archives and Records Service, GSA; Mr. Ray Fontaine, the Assistant Administrator, Plans, Programs, and Evaluation, General Services Administration.

Dr. Warner, I would ask you to introduce the other two gentlemen, and then you may proceed with your testimony. You may summarize, if you choose, and your statement will be included as if read.

Dr. Warner?

TESTIMONY OF ROBERT M. WARNER, ARCHIVIST, NATIONAL ARCHIVES AND RECORDS SERVICE, GENERAL SERVICES ADMINISTRATION, ACCOMPANIED BY JAMES E. O'NEILL, ASSISTANT ARCHIVIST FOR PRESIDENTIAL LIBRARIES; AND RAYMOND A. FONTAINE, ASSISTANT ADMINISTRATOR, PLANS, PROGRAMS, AND EVALUATION, GENERAL SERVICES ADMINISTRATION, ACCOMPANIED BY WILLIAM B. EARLY, JR., DIRECTOR OF BUDGET

Mr. WARNER. Thank you, Senator Roth.

I appreciate the opportunity to testify before you and Senator Chiles today on these very important matters.

I am accompanied by Dr. James O'Neill, who at one time, headed a Presidential library and now is head of the Presidential library systems for the National Archives and Records Service.

Dr. O'Neil will be glad to answer questions along with myself on the topic. Mr. William Early is accompanying Mr. Fontaine and will be responding to your questions at their part of this testimony.

I do want to save your valuable time. Therefore, I will only give you a brief summary of the more important points in my testimony and then submit the full testimony for the record.

Let me just read the most salient points, and then we can get on to your questions.

S. 1325 has been introduced "to reform the laws relating to former Presidents." I believe that a few aspects of this bill could improve the Government's ability to add to future Presidential libraries efficiently and economically. Other provisions, however, could interfere seriously with the Government's acquisition of appropriate Presidential library facilities.

S. 1325 would require the administrator, in consultation with the Archivist of the United States and the Commissioner of Public Buildings Service, to develop architectural and design standards applicable to Presidential libraries. These standards would have the goal of insuring that the structure could preserve Presidential records transferred to the custody of the Archivist.

Such standards also would insure that each library contains adequate research facilities and is designed and constructed with due regard for economy of operation and long-term maintenance.

In his report to Congress concerning a proposed Presidential library, the administrator would be required to state whether the facility met these standards. Conceptually, the administration does not object to authorizing the Administrator of General Services to promulgate limited and minimum design standards, subject to appropriate restrictions, as a potential way to cut costs. S. 1325 also proposes a size limitation of not more than 40,000 square feet for future Presidential libraries. I believe this limitation is far too rigid and impractical.

The appropriate size for a Presidential library is dependent on the length and scope of a President's public career, the volume of historical materials to be deposited in the library, the number of researchers and members of the public who may wish to examine the materials and other variable factors in operating these facilities. General Services Administration and the National Archives and Records Service have taken measures to insure that the libraries are run as efficiently as possible.

The administrator has removed Presidential library buildings, as well as the National Archives Building from its standard level user charge system. NARS is now paying only actual costs for building services.

We are continuing to work with private foundations and corporations which support Presidential libraries to help share the cost of many library programs. Such contributions should be encouraged.

The Presidential libraries system has proved to be a remarkably effective vehicle for protecting and preserving permanently valuable Presidential papers and related historical materials and for making them available to scholars and the public.

Each of these libraries is a rich center in which historians, political scientists, and members of the public may study materials relating to all aspects of a President's career, as well as the policies of his administration and the events of his Presidency and his lifetime.

The impact of Presidential libraries has not been limited to researchers, scholarly publications and political analysts, however. Through writers, historians, the news media, and audiovisual productions, information from Presidential library holdings has become available to every person. Virtually every textbook concerning recent American history is based in part on information from Presidential libraries. Conferences and other special events held each year in the libraries bring together leading authorities in a variety of different fields to stimulate debate and increase our understanding of our national institutions and events of the past.

Each Presidential library also presents exhibits relating to the President's life and times, significant themes of American history

and other topics. Collectively, the Presidential libraries' exhibits were visited by 1,400,000 people in fiscal year 1981. That number will be exceeded this year. In addition, each Presidential library serves the community in which it is located through programs for schools, civic groups and citizens. Together, these programs have insured that information from Presidential library holdings is fully available to the American people and that the libraries are vital centers for the study of this Nation, its institutions, and its past.

I fully support this committee and its interest in this success of the national institution, and we will continue to work to make future libraries fully efficient and economical in operation and responsive to the changing needs of the American people.

However, for the reasons outlined above, among others, the administration opposes S. 1325.

Dr. O'Neill and I would be pleased to respond to your questions.

Chairman ROTH. Before we go into the question period, I think we will call on Mr. Fontaine first.

Mr. FONTAINE. Mr. Chairman, I can submit a statement for the record and just go into the questions, if you like.

Chairman ROTH. Did you want to summarize anything in any way?

Mr. FONTAINE. No. As Senator Chiles said, we administer both the former Presidents and the Presidential Transaction Acts. We control the expenditures and prepare the budget as the law directs us to do.

Chairman ROTH. Dr. Warner, I have a number of questions I would first like to address to you.

I think there is general agreement that the Presidential libraries are a national treasure and that it is highly desirable to have them and make them available to the public at large.

I think the real question is that in this area, as in all areas, there is a limit as to how much the Government can afford to pay. I have information concerning the escalation of projected costs which I will insert into the record at this time.

[The information referred to follows:]

(In thousands of dollars)

Presidential libraries	1982 actual	1982 estimate	1983 estimate	Change from 1982
Hoover.....	421	425	478	+ 53
Roosevelt.....	560	472	534	+ 62
Truman.....	569	542	611	+ 69
Eisenhower.....	545	505	570	+ 65
Kennedy.....	757	708	800	+ 92
Johnson.....	782	731	825	+ 94
Nixon records.....	657	610	751	+ 141
Ford.....	455	496	560	+ 64
Carter Presidential materials.....	762	327	423	+ 96
White House liaison.....	142	84	95	+ 11
Planning and directing.....	827	600	842	+ 242
SLUC and recurring reimbursement payments to FBF.....	5,818	5,976	8,416	+ 2,440
Total costs.....	12,295	11,476	14,905	+ 3,420

Chairman ROTH. In the legislation sponsored by Senator Chiles and Senator Pryor, they provide a space limitation with the Government stipulating certain requirements as to future Presidential libraries. Just speaking for myself, I think it is desirable to let these libraries be located in the home State of the President and that they be magnificent structures, if that is what those contributing to the library want.

However, I do have a concern. If we begin to stipulate the specifications and so forth, are we going to have these libraries look a lot like the buildings in Washington, most of which are mausoleums and don't add much to the beauty?

I just raise that question. Is the language sufficiently clear that we wouldn't limit the opportunity to design graceful, magnificent architectural structures but would be able to—which is I am sure what you want, Senator Chiles—make sure that we don't run into unnecessary costs in the future?

Mr. WARNER. I share your concerns. I also appreciate your comment that you wouldn't like them all alike, as we often have a tendency to do in this city. One of the great advantages of the system is that you do have a wide variety of structures.

I think we share your concern in seeing that in the future, the libraries are designed from the standpoint of efficiency, ease of operation, ease of maintenance and to carry out their functions. I see some trends in this direction that show that we are going down that path.

The Ford Library, for example, the most recent, is smaller in size than four other Presidential libraries and was designed with enormous input from archivists and professional people to see that it was designed from a standpoint of efficiency and function and it has turned out so.

Looking to the future, I think those will be our concerns. We are feeding in information to see that the maintenance and the efficiency of the running of the building are emphasized in the design phase.

Dr. O'Neill, do you have anything to add?

Mr. O'NEILL. Just to enlarge upon what you have said, Dr. Warner, we have learned a great deal about this process of building libraries over the years. We are as concerned as you in having buildings that are not opulent but we are truly functional to carry out the responsibilities that we have, and we have developed some fairly good standards of our own which we have used in working with Mr. Ford and with the architects there and which we are using in working with President Carter's associates in the design of that facility.

We think the result of that will be, as in the Ford case, a facility which will be suitable for the Presidency, suitable for what we have in mind, and less expensive to maintain than if we did not have those standards.

Chairman ROTH. I guess one of the questions I have in my mind is, what is the best means to put some clamp on the expenses of maintaining these libraries?

The legislation we have before the committee uses the approach of limitation in space and specifications, which seems one logical approach.

Let me ask you some questions about some alternatives.

Is it impractical, for example, for the Federal Government to say that, "We will contribute so much to the maintenance of a library but if you go beyond that, those funds are going to have to be secured from private sources."

With this approach you are not putting a limitation on what can be done, but you are putting the admirers and supporters and friends of the former President on notice that whatever they do they must consider not only the original cost, but also if the maintenance goes beyond a certain figure, that that will have to come from private sources?

Do you care to comment on that approach?

Mr. WARNER. I think it is a possibility that could be considered. Again, looking ahead, to try to keep these costs reduced, a limitation such as that might be considered.

I think we should also point out that even today, under the existing law, certain parts of the Presidential library program are funded by private support, and that area, no doubt, should be encouraged. Perhaps that might be a way.

Chairman ROTH. Has any consideration ever been given to establishing some kind of a fee for those who use these facilities?

You mentioned over 1 million visitors see the libraries each year. Might this be an approach to help finance the system?

Mr. WARNER. We already have a fee system, and I might ask Dr. O'Neill to describe what is already in place. We do charge at the present time. Dr. O'Neill?

Mr. O'NEILL. Going back to the Presidential Libraries Act of 1955, the Administrator is authorized to charge a fee for admission to the exhibit areas, the museum side, of each of the libraries. It is not mandatory, but he has the authority.

The only one of our facilities where that is not carried out is the Johnson Library, where the building was built by the University of Texas and remains owned by the University of Texas, and where the agreement between the Government and the university permits public visitors to enter free.

In the case of the other libraries, we have a scale of admission fees. We try to keep these reasonable since a great many of the people who come to the libraries are either children or senior citizens. They obviously do not have great amounts of money. The largest amount charged would be \$1.50. Most of them are charging either 75 cents or \$1.

We do, in that way, accrue a fair amount of the money which goes into a revolving trust fund to pay for a certain amount of the programs for the libraries.

Chairman ROTH. Have you any figures as to how much money has been collected by these fees?

Mr. O'NEILL. I don't have those figures with me today, Senator. We could supply those for the record.

Chairman ROTH. I would appreciate that.

[The information referred to follows:]

Fiscal year 1982 income from admissions

Library:	Amount
Hoover.....	\$37,451
Roosevelt	88,766

Truman.....	105,860
Eisenhower.....	74,445
Kennedy.....	371,192
Ford.....	324,522

Total income from admissions.....	1,002,236
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Chairman ROTH. One of my concerns is that by the lack of any guidelines from Congress, GSA and the Federal Government are put in a very difficult position in dealing with the former Presidents and their admirers. I think that is the guts of the problem.

I am not being critical of any of them, because, as I said, I think these facilities are a great asset. The question is, how much of that should be paid for by Government and how much by the private sector, at least, in my judgment. For example, currently, I understand the Carter Library will include two donut-shaped buildings on a 219-acre property of land and will cost \$30 million or \$40 million, which I assume will be paid for by private sources.

The library will include a separate center for policy studies, which is really something separate from the library. It is going to be necessary to have a 2.1-mile highway leading to the library. Would you expect GSA to assume the costs for the maintenance and operation of all of this?

Mr. WARNER. I think we should address the Carter Library, which is in the developmental stage. Many of these matters that you raise certainly would not be costs to the Government in terms of construction or maintenance.

The actual building and the maintenance of the Presidential library itself would be a cost——

Senator CHILES. How much in square feet?

Mr. WARNER. We don't know the exact square footage of the building at this time. I don't think the plans are developed that far at this stage.

We have supplied the architects with very detailed information about the basic functions of a Presidential library, but I think as far as the ultimate design, that has not been settled. We understand that it probably is going to be about the same square footage as the Ford Library.

We have been in touch with the Carter staff, and Dr. O'Neill just very recently, as a matter of fact has met with President Carter. Perhaps you could fill in some further details.

Mr. O'NEILL. To my knowledge, former President Carter has not revealed the whole grand design for his library, but I think it would not be inconceivable to say you are quite correct that there will be one; there will also be an institute for policy studies associated with Emory University, and the cost figures that have been used in the press, so far as I understand, are figures for the entire complex, including an endowment to support the activities of the policy center and the public kind of activities at the library.

Senator CHILES. Are we going to maintain and upkeep the policy center?

Mr. O'NEILL. No, no. We are not, sir. There is no plan that we would have any responsibility outside the library itself.

Chairman ROTH. Let me ask you: Have we, in any library or mausoleum, turned down the proposals of the proponents of the site?

How much input do we have? I want to address this basic question. It seems to me that GSA is in a very difficult position, without some kind of guidelines or controls set by Congress, to reject proposals of the former Presidents or those who are responsible for building it.

On the one hand, I think it is important that they be free to build what they want and what can be maintained. But I think there is a limit as to how much we should pay for. What worries me is because of the very loose laws adopted by Congress, as a practical matter, GSA has to pretty much accept what is proposed.

Can you give me some examples where we have rejected what has been proposed by the architects and planners of a Presidential library?

Mr. O'NEILL. I do not know of an instance where, in a formal way, the architects of any of the libraries have come in with a grant design and GSA has said, "No, we don't like it." But I can assure you, having worked with the architects—and there were two in the case of the Ford facility, and Dr. Warner worked with them at the University of Michigan—that we did make our position abundantly clear as to what we felt was appropriate in terms of size and the kinds of facilities. There is a kind of dialog that takes place.

We are now entering into that dialog in the case of President Carter.

Senator CHILES. But did you really have a motive to try to restrict size in any way? I mean, weren't your motives more trying to determine that it was adequate; that it would grant access; and that it would be a proper storage for the papers? In other words, most of the things you were doing were assuring that from the archivists' standpoint it was going to take care of all of these things.

Was there anything that constrained you to say, "We want to hold this thing down in size. We want to limit the cost?"

Mr. WARNER. A very understanding statement from only one perspective: In the case of the Ford Library, which I worked on, there was, Senator, a commitment to have a functional, modest building. Fortunately, we were dealing with a former President who shared those concerns.

In fact, I remember in planning the building for the Ford Library one of President Ford's most important concerns was the size of the office designed for his use. He wanted it much smaller than originally proposed.

Senator CHILES. Did he have that same concern about the separate museum? This is the first time in our history that we have a former President who was a nonelective, and he has a library and a museum, both in different places.

Did you help advise him on that as to whether it was proper to have two facilities?

Mr. WARNER. That was Mr. Ford's very strong feeling for two reasons, and I don't want to presume to speak for him, but I know that—

Senator CHILES. What voice did you have to say, "Wait a minute, wait a minute, wait a minute, we have got two facilities going here, not one."

What voice did you raise there, Doctor, or what clout did you have if you raised a voice?

Mr. WARNER. It was determined that two separate facilities would serve the constituencies most adequately. They have done so. But I might add that the total cost and the total size of the two Ford facilities is smaller than four of the other existing Presidential libraries considering both aspects.

Senator CHILES. Someday we are going to have a President from Florida, and I look forward to that day. Florida is a very big State. We could have a library in Key West and we could have one over 1,000 miles away. I've been to Pensacola, and the folks there would want one, and then, gosh, we ought to have one in Jacksonville.

The west coast certainly would have strong feelings about whether they should have to travel across the State, so maybe we could serve that constituency as well. We could have at least five libraries in Florida. That would be adequate, I believe.

Mr. WARNER. That would certainly present a problem.

Chairman ROTH. Dr. Warner, I guess what concerns us, and I think probalby most former Presidents themselves, would want a modest library, but the fact is that their supporters and friends have a natural inclination to build each library a little larger and a little grander. As I say, I think that is fine as long as we don't have an unlimited access to the U.S. Treasury. They ought to depend upon private sources to operate and maintain these libraries, as much as possible.

Senator Chiles has mentioned that in the case of President Ford, that there are two building locations involving 42.2 acres for a library and a separate location of 4.63 acres for a museum. We are talking about a 219-acre plot of land in the case of the Carter facility.

I must say, these are all magnificent structures, and I think they are an important addition. I am not quarreling with the need for these facilities but we see that these libraries seem to be increasing in size, cost and space: 14 acres for President Johnson, \$10 million basic cost; John Kennedy, 13 acres, \$12 million construction costs, \$18 million total project.

Let me ask you this basic question: What would be your recommendation as to the best way to control costs? Whether you agree with the approach or not, do you think it is best to do it by limiting the space or maybe by the Congress saying that, "We will allocate so much money for each site and that is it." Or do you have some other approach?

Mr. WARNER. Controlling the size of Presidential libraries is a matter of concern to all of us. From our standpoint our primary responsibility is to see that the proposed building meets the archival needs of a Presidential library. Once these archival requirements are met we would negotiate with the former President and his representatives on such things as overall size, energy efficiency and other factors. In this process it is important to maintain the difficult balance between appropriate standards and excessive control which might result in conformity and mediocrity.

Senator CHILES. But you haven't given us any yardstick, Doctor.

Mr. WARNER. Again, I think the only yardstick that we would surely want is to having enough space for the basic function of caring for the historically valuable materials, both artifacts and papers. That is the basic responsibility of the Government.

Then beyond that, there is a problem, perhaps, of controlling the enthusiasm of donors. I think there is a responsibility to exercise some control in that area.

Mr. O'NEILL. Senator?

Chairman ROTH. Yes.

Mr. O'NEILL. I think as Dr. Warner's statement indicated, the administration has no conceptual opposition to some type of publicly established standard such as the bill seems to suggest.

Chairman ROTH. Including the limitation of space?

Mr. O'NEILL. We did object to the limitation of space but not to the idea of setting general standards. We have developed sufficient information to enable us to set fairly rigorous standards, in each instance, on the amount of space needed in terms of the volume of material we know exists or is likely to come in. We have a pretty good idea of how much stack space; how much reading room space, that kind of thing, to lay down some fairly real standards which would not have the effect of trying to squeeze a large body of Presidential material into a small box where the space would be insufficient.

Chairman ROTH. I guess my basic concern is that if Congress does not express itself fairly precisely by one device or another, it is going to be very unrealistic to expect the GSA to impose upon many limitations.

One concern of mine is that by relying upon detailed specifications we are back into the situation where we are building all the buildings like we have in Washington. That I want to avoid.

I would like you people to give further thought to this, because I think that if we are going to do anything meaningful, there have to be specific guidelines along the line of what Senator Chiles is proposing or possibly a dollar limitation or something else.

Do you want to comment?

Senator CHILES. Yes. Today's Presidential libraries, as I understand, average about 70,000 square feet, and only about 20,000 square feet of that is used as space for Presidential papers. You have said that the Ford Library of 40,000 feet is adequate for the space there for the papers? The Hoover Library was 25,000 square feet. The Roosevelt Library was 39,000 square feet to start with, and so it housed the papers within that 39,000 square feet, and yet you state that 40,000 square feet is either too rigid, or is not going to be sufficient.

If it isn't going to be sufficient, then I think what you ought to do is tell this committee whether it should be 45,000 square feet or 48,000 square feet or what it should be. But to tell us that all we should do is set some kind of provisions to allow you all to negotiate, is kind of like saying, how do you negotiate space with an elephant? You give him all the space he is going to want, and that is the posture, I think, that you must have—or maybe we should say an elephant and a donkey. [Laughter.]

But there is just no way to leave this matter open. President Johnson, before he left office, made sure that there would be no fee charged at his library. It was done before he left office, and I have seen what some other former Presidents have done since I have been here in regard to a couple of phone calls that they can make after they get out of office or immediately at the time that they are leaving office.

I really don't have any further questions.

Chairman ROTH. Thank you.

Mr. Fontaine, I would like to direct some questions to you.

Would you briefly spell out what services you do provide a former President?

Mr. FONTAINE. Mr. Chairman, under the law we provide office space, furnishings, staff, telephones, office supplies, and services of that sort. We pretty much provide the whole thing.

Chairman ROTH. What kind of limitations? Are there any limits as to—

Mr. FONTAINE. The only limitation is on staff salaries. It is \$150,000 when they first leave office and then reverts to \$96,000.

Chairman ROTH. That is set by statute?

Mr. FONTAINE. That is correct, and also the pension amounts for the former President and his wife.

Chairman ROTH. As I understand the law on office space, you provide suitable office space to the former President, correct?

Mr. FONTAINE. That is correct.

Chairman ROTH. There is no limitation?

Mr. FONTAINE. No, sir.

Chairman ROTH. So that where the former President wants office space, say, at the center of a major city, which is much more expensive, he has a right to have space wherever he selects?

Mr. FONTAINE. The geographic location can be anywhere in the country. I would put on one caveat: Subject to appropriation in the budget process.

In the case of former President Nixon, when he moved from San Clemente to New York, we said no to going into the Chrysler Building at \$35 a square foot.

We said no because of budget restraints, that space was too expensive, and there was space available in the Federal building at a much cheaper cost to the Government.

Chairman ROTH. Would it make sense to write into the law that either they use office space in a Federal building or put some kind of a dollar limitation as to what funds would be available for office space?

Mr. FONTAINE. Let me put it this way. I don't think I would want to restrict them to a Federal building. Take the case of former President Carter. If he wanted to go back to Plains, there was no Federal facility there.

Chairman ROTH. What I was suggesting was a Federal building or a dollar figure—if the President would want to go, as you mentioned, into the Chrysler Building, he would have to pay the difference.

Mr. FONTAINE. Again, I think you have that control in the appropriation process on the limitation or the dollar limitation. I think a square footage limitation might be more fair.

Chairman ROTH. Why couldn't that be written into the law? Why should we depend on that appropriation?

Mr. FONTAINE. Again, even when they have the choice to go anywhere they want, sometimes there just isn't office space available.

In Plains, there isn't even commercial space available. You can get yourself into a kind of box.

Chairman ROTH. Again, I suppose I don't think that we want to give the discretion to build a building for office purposes. I would assume that, in any town, even small towns, there are some office facilities available so that it just seems to me that——

Senator CHILES. Not Plains.

Mr. FONTAINE. There wasn't in Plains.

Chairman ROTH. Not Plains? [Laughter.]

I haven't been to Plains.

Anyway, it does seem to me that, again, we have rather weak guidelines here.

Mr. FONTAINE. I would agree, Senator, that when you have a law saying, "Adequate office space suitably furnished," that makes it awfully tough for us. What is "suitably furnished?" Is that a \$500 coffee table or a \$5,000 coffee table? We are constantly in the position of making a judgment call. I have always used the rule of thumb that we would allow expenditures at the same rate or level as for a Cabinet officer. That is just a judgment that we have to use at GSA because the law is not more specific.

Chairman ROTH. Do you routinely ask for any written justification to be submitted in support of a former President's request for Federal funds?

Mr. FONTAINE. Generally we will have a discussion with their top staff person before the preparation of the upcoming budget to try to get some requirements; if there is to be more travel, this, or that or the other.

Chairman ROTH. Do you consider all of the duties of former President's staff to be legitimately related to the responsibilities and public duties of a former President, or do you set any guidelines on that?

Mr. FONTAINE. No, the law is totally silent on that. We have to assume they are working 40 hours a week for a former President, and we payroll it accordingly.

Chairman ROTH. What about travel? Is any limit placed on travel? Do you feel that there should be a limit placed on the number of times a President can travel officially?

Mr. FONTAINE. You have a limitation in the appropriation bill on the amount of money that can be spent for travel. I don't know that I would try to limit the number of trips. Again, I think it should be limited through the budget process.

Chairman ROTH. I might ask my colleague, you are on the Appropriations Committee. Is that number limited specifically? Is there a specific line item?

Senator CHILES. In the former President's bill there is so much allowed for travel, so much allowed for office allowance, as well as a provision for travel.

Chairman ROTH. As I recall, your proposed legislation also provides that it cannot be used for political or income-related matters?

Senator CHILES. That is right.

Chairman ROTH. Is that correct?

Senator CHILES. That is correct.

Chairman ROTH. And on the other side, that it must be in the line of duty? Was there some referral to that?

Senator CHILES. We don't spell out line of duty. We negate it being income producing or for partisan, political purposes.

Mr. FONTAINE. We would not pay for a trip by a former President for a fundraiser, but for example, we did pay for them to go to the funeral of Mr. Sadat, which is a function of a former President.

Chairman ROTH. Has GSA ever challenged the request of a former President for office space?

You mentioned once the Chrysler case. Is there any other such case?

Mr. FONTAINE. The last one was the Carter move to Georgia. We said no to some expenditures they wanted to make for the office that we thought were excessive. Again, we were put in a box as to what is "suitably furnished." They wanted certain chandeliers and oriental rugs and I thought it was excessive. I used it in the judgment of a Cabinet officer, what they are entitled to, and we said no.

Chairman ROTH. You use a Cabinet officer as your guideline?

Mr. FONTAINE. That is correct.

Chairman ROTH. Why do you think the costs of the benefit programs for the former Presidents have risen so rapidly over the years?

Mr. FONTAINE. I would say that the appropriation has probably maintained an even level more so than any of the others, unless you get an additional former President, because the staff salaries are pretty much frozen. The pensions are set by law. It is just an increase in inflation, and probably greater than that is the increases in office supplies, rent, and that kind of thing, but they have maintained those, 1 to 1, over the last 2 or 3 years.

Chairman ROTH. Senator Chiles?

Senator CHILES. We have provided in the bill one suitable office, not to exceed appropriately 4,000 square feet equipped with office furniture and equipment. That would be a guideline that you could certainly adhere to, would it not, and aren't there provisions that you have looked at previously in this? I don't know how long, Mr. Fontaine, you have been in this particular role, but there have been a number of times, have there not, where former Presidents have bought things that clearly could be questionable, but it certainly put anybody in GSA on the spot of saying, "You shouldn't have these particular furnishings or equipment or other expenditures," where there was no clear guidelines laid out.

Mr. FONTAINE. That is correct, sir. Many times we have to make a judgment call.

Senator CHILES. The bill itself, again, does provide for restricting travel and expenditures if they were going to be for income-producing or partisan political purposes. You would be able to audit that; you would be able to determine that?

Mr. FONTAINE. Yes, sir.

Senator CHILES. Dr. Warner, I would just like to ask one other question, if I could.

Mr. WARNER. Surely.

Senator CHILES. However, for the reasons outlined above, among others, and I guess the particular reason above was the restriction thing on the space, among others, the administration opposes S. 1325.

Officially, then, the Reagan administration opposes the idea of trying to provide some control over former Presidents or spouses and travel?

Mr. WARNER. That is my understanding.

I understand that OMB will be forwarding a letter to the committee detailing the administration's position on the proposed legislation.

Senator CHILES. Thank you, sir.

[The letter referred to follows:]

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., September 28, 1982.

Hon. WILLIAM V. ROTH, Jr.,
Chairman, Committee on Governmental Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your request for the views of the Office of Management and Budget [OMB] on S. 1325, the "Former Presidents Facilities and Services Reform Act of 1981."

Title I of S. 1325 would make certain changes to existing law with respect to Presidential libraries. Title II concerns staff and services provided to former Presidents, as well as pensions for spouses of deceased former Presidents. Title III deals with Secret Service protection afforded former Presidents, their families, and former Vice Presidents.

As you know, this Administration is strongly committed to bringing the growth in Federal spending under control. We have carefully examined each Federal spending program with a view toward the elimination of all but essential expenditures.

To the extent that S. 1325 has as its goal a reduction in unnecessary spending, we are certainly sympathetic to its objectives. As a general rule, however, the Administration opposes the imposition of any additional restrictions on the privileges and prerogatives of former Presidents; and it is for this reason that OMB opposes enactment of S. 1325. Our principal objections are outlined below.

Concerning libraries of former Presidents, we are not convinced that the major changes called for in S. 1325 are necessary or desirable. Libraries of former Presidents are national resources that are invaluable to scholars, students, and others engaged in historical research. In our view, the substantial restrictions that S. 1325 would impose on the construction of libraries of former Presidents, especially the provision of the bill that would limit a Presidential library to no more than 40,000 square feet in area, are unreasonable and arbitrary and do not draw adequate distinctions between the Administrations of different Presidents (e.g., between Presidents who serve for eight years and those who serve for four years). We should also note that the Department of Justice has advised us that the provisions of Title I of S. 1325 concerning the prospectus procedure by which Presidential libraries would be authorized are troublesome and may have constitutional implications.

With respect to office and staff support for former Presidents, we support increased pensions for the spouses of deceased former Presidents. In addition, we do not object to a number of other provisions of Title II of S. 1325, such as the provision that would permit the detail of Federal employees to offices of former Presidents on reimbursable bases. We do object, however, to several other provisions of Title II. For example, we believe that the provisions that would limit a former President to one office of not more than 4,000 square feet and that would prohibit a former President from using Federal funds in the preparation of his memoirs unless he enters into an agreement with the Government Printing Office [GPO] for their publication are unreasonably restrictive. In connection with the publication of Presidential memoirs, we are of the view that GPO should not get in the business of publishing and distributing works of non-fiction that heretofore have been published and distributed by private sector organizations. We also believe that the bill's authorization of \$750,000 to the outgoing President and Vice President in the year they leave office is unreasonably low. Current law provides the outgoing Administration with \$1,000,000 in assistance and should not be changed.

OMB believes that no additional restrictions on the availability of Secret Service protection for former Presidents and their families should be enacted at this time. We have no objection to the provision of S. 1325 that would make limited Secret Service protection available to former Vice Presidents, however. Concerning the provision of Title III of S. 1325 that would require the Secretary of the Treasury in certain instances to obtain the approval of an advisory committee before extending Secret Service protection to particular individuals, the Justice Department has advised that such an arrangement would be an unconstitutional abrogation of the principle of separation of powers.

Should the Committee request it, we would be pleased to provide a more detailed summary of the Administration's concerns.

Sincerely,

DAVID A. STOCKMAN, *Director.*

Mr. FONTAINE. Senator Roth, can I make one suggestion from my point of view?

Chairman ROTH. Yes.

Mr. FONTAINE. We haven't touched on this item. The Presidential Transition Act, I think could be deleted for the outgoing administration; and could be limited to the transition for only the incoming administrations. We are in this quandary with the Former Presidents Act, because one is for salaries through July 20 and at the same time you have the Transition Act. We are operating under two appropriation bills from that period of July 20 through September 30, which is the end of the fiscal year. One would be adequate. I don't think the Presidential Transition Act would have to apply to the outgoing President. If we could put him under the Former Presidents Act, life would be a lot easier.

Chairman ROTH. Let me make certain of what you are saying. Under the Transition Act, what you are saying is you would modify the fund for the million dollars?

Mr. FONTAINE. That is for the outgoing. We could have that apply only to that period going through January, so we wouldn't have to operate under two acts for at least that part of the year.

Chairman ROTH. I think that is a worthwhile suggestion. Let me ask you one further question: Do you mean to say that no former President, nor his staff, submits detailed vouchers when money is spent to explain how and where it is spent?

Mr. FONTAINE. No, sir;

Chairman ROTH. They do not?

Mr. FONTAINE. They submit the normal Government travel vouchers.

Chairman ROTH. They do it the same as everyone else in Government?

Mr. FONTAINE. Yes, sir.

Chairman ROTH. And those can be audited?

Mr. FONTAINE. Yes, sir.

Chairman ROTH. Gentlemen, I appreciate all of you being here. I am disappointed that the administration apparently is not supporting the legislation.

Are you saying they are not supportive of the legislation, or do they just have reservations with certain aspects of the bill before us?

Mr. WARNER. As I said, OMB will be sending a letter to you, to this committee, detailing its position on this legislation.¹

¹ See p. 25.

Chairman ROTH. I would hope that you would express my interest in knowing what kind of guidelines they would support, because I am persuaded that it is important that we go beyond this sort of open check that we now have. I recognize in my questioning that there might be alternatives, but I think it really puts you people in a very unfair position, to be perfectly honest. How can you really turn down a former President in any of these cases? I think somehow we have to spell what we think is appropriate for the Government to spend. As I said before, I think the Government and the people want them to be treated with dignity, but we have got to draw a line and prevent creating, as I have already said, an imperial ex-Presidency.

So I would ask you to let the OMB know that I not only want to know what their comments are on this bill but alternatives where they reject what the bill contains.

Thank you, gentlemen, very much. I appreciate your being here today.

Mr. WARNER. Thank you very much.

[The prepared statements of Dr. Warner and Mr. Fontaine follow. GSA responses to written questions submitted by Senators Roth and Chiles also follow:]

PREPARED STATEMENT OF DR. ROBERT M. WARNER, ARCHIVIST OF THE UNITED STATES

I appreciate the opportunity to appear before you today to testify concerning Presidential libraries.

S. 1325 has been introduced "to reform the laws relating to former Presidents." I believe that a few aspects of this bill could improve the Government's ability to administer future Presidential libraries efficiently and economically. Other provisions, however, could interfere seriously with the Government's acquisition of appropriate Presidential library facilities.

Under the Presidential Libraries Act of 1955, the Administrator of General Services is authorized to accept land, buildings, and equipment donated to the government as a Presidential library or to enter an agreement for their use, subject to Congressional approval. The Government maintains and operates each Presidential library and cares for the historical materials deposited there.

S. 1325 would require the Administrator, in consultation with the Archivist of the United States and the Commissioner of the Public Buildings Service, to develop architectural and design standards applicable to Presidential libraries. Those standards would have the goal of ensuring that the structure could preserve Presidential records transferred to the custody of the Archivist. Such standards also would ensure that each library contains adequate research facilities and is designed and constructed with due regard for economy of operation and long-term maintenance. In his report to Congress concerning a proposed Presidential library the Administrator would be required to state whether the facility met these standards. Conceptually, the administration does not object to authorizing the Administrator of General Services to promulgate limited and minimum design standards, subject to appropriate restrictions, as a potential way to cut costs.

S. 1325 also proposes a size limitation of not more than 40,000 square feet for future Presidential libraries. I believe that this limitation is far too rigid and impractical.

The appropriate size for a Presidential library is dependent on the length and scope of a President's public career, the volume of historical materials to be deposited in the library, the number of researchers and members of the public who may wish to examine the materials, and other variable factors. No single standard is likely to be appropriate for all future libraries. Furthermore, the proposed figure of 40,000 square feet is inadequate to meet the archival and public requirements for future Presidential libraries. Only one existing Presidential library, the Herbert Hoover Library in West Branch, Iowa, is less than 40,000 square feet in size (30,000 gross square feet—24,000 assigned to NARS). In the years since the Hoover administration, the office of the President has expanded dramatically as has the volume of historical materials in White House offices. The Hoover administration generated

1.1 million pages of Presidential materials over a period of 4 years. In contrast, in recent years Presidents are producing and receiving Presidential records at the rate of about 10 million pages per year. Archivists are hopeful that advanced technology may eventually be available to reduce the volume of bulky paper records at reasonable cost. At present, however, we must house most valuable historical materials in the form we receive them. We must conclude then that a structure of 40,000 square feet would be inadequate to house records and related historical materials anticipated for this or future presidencies or to serve researchers and the public who wish to review them. In the administration's view, the law should not restrict the size of Presidential libraries.

Section 102 of S. 1325 provides that a President must substantially complete disposal of his Presidential records lacking further value during his term of office. The administration does not believe that this requirement is appropriate. Although we certainly encourage efficient records management, the administration believes that this provision would require an outgoing President to devote too much of his time to records disposal, at a time when he is otherwise concentrating on other, more important matters.

In operating these facilities the General Services Administration and the National Archives and Records Service have taken measures to assure that the libraries are run as efficiently as possible. The Administrator has removed Presidential library buildings as well as the National Archives building from the Standard Level User Charge system. NARS is now paying only actual costs for building services.

We are continuing to work with private foundations and corporations which support Presidential libraries to help share the cost of many library programs. Such contributions should be encouraged. We will continue to support private sector participation in the development and operation of Presidential libraries. We also are studying the use of endowments to offset the costs of these libraries.

The Presidential libraries system has proven to be a remarkably effective vehicle for protecting and preserving permanently valuable Presidential papers and related historical materials and for making them available for use by scholars and the public. Seven Presidential libraries now make up the Presidential libraries system: the Herbert Hoover Library in West Branch, Iowa; the Franklin D. Roosevelt Library in Hyde Park, New York; the Harry S. Truman Library in Independence, Missouri; the Dwight D. Eisenhower Library in Abilene, Kansas; the John F. Kennedy Library in Boston, Massachusetts; the Lyndon B. Johnson Library in Austin, Texas; and the Gerald R. Ford Library in Michigan.

Each of these libraries is a rich center in which historians, political scientists, and members of the public may study materials relating to all aspects of a President's career as well as the policies of his administration and the events of his Presidency and lifetime. They contain not only Presidential papers but also documents of the President's family, political associates and high officials of his administration. The broad range of materials in Presidential libraries offers researchers a unique opportunity to review materials concerning recent political history from a variety of viewpoints. The large and growing number of dissertations, books, and scholarly articles based upon the Presidential libraries' holdings attests to their continuing value as major research institutions.

Presidential libraries also have achieved dramatic success in making materials in their custody widely available. They have provided national leadership in opening for research use at an early age materials on recent and contemporary history while respecting requirements of privacy and national security.

The impact of Presidential libraries has not been limited to researchers, scholarly publications, and political analysts, however, through writers, historians the news media and audiovisual productions, information from Presidential library holdings has become available to every American. Virtually every textbook concerning recent American history is based in part on information from Presidential libraries. Conferences and other special events held each year in the libraries bring together leading authorities in a variety of different fields to stimulate debate and increase our understanding of our national institutions and events of the past. Each Presidential library also presents exhibits relating to the President's life and times, significant themes of American history and other topics. These exhibits make available to thousands of Americans every year an informative and sometimes inspiring introduction to the President, his Presidency, and the events of his administration. Collectively, the Presidential libraries' exhibits were visited by 1,400,000 people in fiscal year 1981. That number will be exceeded this year.

In addition, each Presidential library also serves the community in which it is located through programs for schools, civic groups, and citizens.

Together, these programs have assured that information from Presidential library holdings is fully available to the American people and that the libraries are vital centers for the study of this nation, its institutions and its past.

I fully support this committee in its interest in this successful national institution, and we will continue to work to make future libraries fully efficient and economical in operation and responsive to the changing needs of the American people. However, for the reasons outlined above, among others, the administration opposes S. 1325.

PREPARED STATEMENT OF RAYMOND A. FONTAINE

Mr. Chairman and Members of the Committee, I am pleased to appear before this Committee to discuss the benefits granted by law to Former Presidents. I have with me Mr. William B. Early, Jr., Director of Budget and Mr. John S. Miller, Assistant General Counsel.

GSA's role is basically to administer the provisions of the Presidential Transition Act of 1963, as amended and the Former Presidents Act of 1958, as amended. This includes providing suitably equipped office space to the incoming and outgoing administrations, supplies, communications, and other related services. We prepare the budget requests for all expenditures provided by these laws which are submitted to the Office of Management and Budget and our Appropriations Committees as part of GSA's budget. This involves working with the former Presidents staffs in pricing out the requirements for the succeeding fiscal year. Since some of the provisions of these acts are fairly general we have found it necessary over the years to obtain decisions from the General Accounting Office on the propriety of certain expenditures not expressly stated in the Acts. These decisions provided a firm base for the budget requests and the subsequent allowances of funds to former Presidents after enactment of appropriations. Certain dollar limitations in the Former Presidents Act have not been increased for many years to provide for cost of living increases. For example, pensions of widows of former Presidents have been limited to \$20,000 a year since 1971. In this same year the pension of a former President was increased from \$25,000 to an amount which is equal to the annual rate of basic pay of the head of an executive department. In 1971 this annual rate was \$60,000. The increase in the pension of a former Presidents widow to \$20,000 was based on one-third of the \$60,000 rate for former Presidents. However, the widows pension was enacted at a flat rate of \$20,000 with no provision for the escalation authorized for the pension of a former President. We support the provisions of S. 1325 that would increase the pensions of surviving spouses of former Presidents.

A similar situation exists in the dollar limitation for the staff of each former President. Total basic compensation for the office staff of each former President is \$150,000 a year for the first thirty month period during which a former President is entitled to staff assistance. This level provides for the unusually heavy demands on a former President immediately after leaving office. After the thirty month period this level is reduced to \$96,000 per annum which has not been changed since 1970. The maximum annual rate of compensation authorized by law for any member of a former Presidents office staff is level II of the Executive Schedule which is currently \$60,663 per annum. This maximum pay level is seldom utilized by a former President since it would leave only a nominal amount for the regular requirements for an office staff. In this regard, we are satisfied with existing law but recognize the need for flexibility in this area, depending on the needs of particular former Presidents.

This concludes my opening statement, Mr. Chairman. I will be glad to answer any questions which the Committee wishes to ask.

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., October 29, 1982.

Hon. WILLIAM V. ROTH, Jr.,
Chairman, Committee on Governmental Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for the opportunity provided to Dr. Robert Warner and Mr. Ray Fontaine to testify on Presidential Libraries before the Committee on Governmental Affairs.

Please find enclosed my responses to the additional written questions from yourself and Senator Chiles. I appreciate your interest in improving the Presidential library system.

Sincerely,

GERALD P. CARMEN, *Administrator.*

Enclosures.

RESPONSES TO WRITTEN QUESTIONS SUBMITTED BY SENATOR ROTH

Question. 1. On purpose of S. 1325 is to reduce the costs of Presidential libraries. The Carter Library will apparently include two donut-shaped buildings on a 219 acre plot of land and cost 30-40 million dollars. The library will also include a separate center for policy studies which will have nothing to do with the library. Is this plan getting away from the original concept of these libraries as depositories of valuable information and research sites?

Answer. The plan as outlined in Question 1 does not reflect our understanding of President Carter's intentions for the Carter Library. Although GSA personnel have been informed only of the architect's preliminary design concepts, we understand that the library and museum will be housed in a single building. The second building, a center for policy studies, will not be transferred to GSA, but will be the responsibility of Emory University. Two hundred nineteen acres is the area of the entire Great Park. Only a small portion of the park, the library and immediately surrounding grounds, will be transferred to GSA. We also understand that the \$30-40 million figure for cost of construction is a combined total for President Carter's fundraising effort, which includes funds for both the Library and the policy center. As we understand these preliminary plans, they do not run counter to the primary purpose of Presidential libraries as archival repositories. Allocation of space, staff, and other resources between archival and other activities will be in approximately the same proportions as in the earlier libraries, with the preponderance of resources supporting archival and related activities.

Question 1A. Should the government be required to accept a building for maintenance without having accurate maintenance cost data and will such data be obtained concerning the Carter Library?

Answer. In the past, GSA has had accurate data regarding maintenance costs for prospective libraries because these costs were based on the Standard Level Users Charge (SLUC), which could be calculated in advance for any given geographic area, insofar as these charges remained stable. However, now that libraries are no longer under the SLUC system but instead on an actual cost basis, National Archives officials have been consulting with President Carter's staff to inform them of design requirements to minimize costs. Before a proposal for a Carter Library is forwarded to Congress, the Administrator will assure that maintenance and operating cost projections have been developed for the facility. These projections will be provided to the appropriate Congressional committees.

Question 1B. Will the government be involved in the maintenance of the 2.1 mile highway leading to the library?

Answer. GSA will not be responsible for the cost of constructing or maintaining the roadway through the Great Park.

Question 1C. Would the Carter Library comply with the requirements of S. 1325?

Answer. The Carter Presidential materials are the most voluminous ever transferred from the White House at the end of an administration. To provide adequate space for storage, processing, exhibition and research of these valuable historical materials, the proposed Carter Presidential library is likely to be larger than 40,000 square feet, the limit proposed by S. 1325. GSA and NARS are making every effort, however, to assure that the proposed Carter Library will meet appropriate design and building criteria and will be economical and efficient to operate.

Question 2. What is the current status of the Presidential libraries for former Presidents Nixon and Carter?

Answer. NARS is aware of inquiries from groups, municipalities, and institutions interested in sponsoring a Nixon Library. NARS' role in receiving these inquiries is to describe the Presidential library system and laws affecting the establishment of a Nixon Library and to refer inquiries to President Nixon's representative. National Archives officials are prepared to consult with Mr. Nixon, his representative, or other interested parties concerning a Nixon Library.

Before a Nixon Library could be established outside the Washington, D.C. area and be accepted by GSA, the Presidential Recordings and Materials Preservation Act of 1974 will need to be amended to allow the material to be removed from the

Washington, D.C. metropolitan area and negotiations must be satisfactorily concluded on placement and accessibility of materials created during his administration.

With respect to the status of a Carter Library, shortly after he left office, President Carter donated his Presidential materials to the United States for permanent preservation in a Presidential library. These materials (approximately 25,000 cubic feet of papers, museum objects, audiovisual materials, and computerized records) are now housed in a temporary facility in Atlanta pending development of the Carter Library.

Question 3. What factors have contributed to the increased size and additions to Presidential libraries?

Answer. The size of Presidential library buildings varies from a minimum of 30,000 square feet at the Hoover Library to a maximum, of 117,000 square feet at the Johnson Library. Three major factors account for this size difference which included additions to some of the buildings.

First, the volume of archival holdings varies dramatically from library to library. For example, fewer than 7 million pages of manuscripts are housed in the Hoover Library, while over 28 million pages are housed in the Johnson Library.

Second, recent libraries have more records in non-textual formats, which required special storage facilities and space of equipment to process the materials and to provide reference service on them. The difference between the Hoover and Johnson Presidential materials illustrates this trend. The Hoover Library holds fewer than 25,000 photographs, 145,000 feet of film and no videotape. Johnson Library holdings include nearly 600,000 photographs, over 800,000 feet of motion picture film, and over 5,000 hours of videotape.

Third, increased researcher use of Presidential libraries has required more facilities to serve their needs. For instance, in 1981 the Roosevelt Library had twice the number of researchers as in 1955. This increased researcher use resulted directly in the expansion of the Roosevelt Library in 1972. Recent Presidential libraries have been constructed with research room space adequate to meet current and anticipated needs.

Although Presidential libraries vary greatly in size, any trend toward facilities of increasing size has been reversed. The largest facility (117,000 square feet), the Johnson Library in Austin, Texas, was completed in 1971. The Kennedy Library, which was dedicated in 1979, is 95,000 square feet in size. The Gerald R. Ford Library which was completed in 1980 has 80,000 square feet. We believe that this trend toward more modestly sized facilities will continue. Advancements in record-keeping technologies, increased computerization and more sophisticated equipment such as compactable shelving should make it possible for future Presidential Libraries to preserve and protect more historical materials in relatively smaller facilities.

Question 4. Aren't some buildings difficult to convert to adequate depository use? Doesn't this result in expensive methods to create proper environmental climate and temperature to maintain records, which of course is the primary responsibility of the archives?

Answer. All seven established Presidential libraries have been donated or made available to the government without charge for use as Presidential archival facilities. Each of these buildings was built specifically for use as a Presidential library and has been equipped with the best climate controls available at the time for preservation of archival materials. We therefore have no experience in converting buildings constructed for other purposes to permanent use as Presidential archival depositories.

Question 5. Could you please describe for us the process which a former President must go through to have his expenditures approved by GSA?

Answer. Expenditures for daily operation of the former President's office are reviewed by the agency's regional budget staff, and once approved documents are forwarded to the finance office for payment. In order to assist the former President's office, the GSA Regional Controller provides guidelines concerning appropriate expenditures. On several occasions the former President's office has been informed that federal funds could not be used for a particular purpose.

Out of the ordinary costs are reviewed by the high level agency officials who discuss any disagreement over the appropriateness of a particular expenditure with the former President's staff.

Question 6. Do you feel that there should be more legislative guidelines provided to GSA for judging the appropriateness of expenditures made by former Presidents?

Answer. Since enactment of the Former Presidents Act of 1958 (as amended) GSA has relied upon General Accounting Office Comptroller General's decisions, Office of

Management and Budget direction, and GSA legal opinions concerning the provision of benefits to former Presidents.

RESPONSES TO WRITTEN QUESTIONS SUBMITTED BY SENATOR CHILES

Question 1. What are GSA's thoughts on using private endowments to operate Presidential libraries, and what is the status of your private funding initiative?

Answer. The possibility of endowments has great conceptual appeal. It is, however, a highly complex issue deserving of careful analysis. I have asked the Archivist to study the issue and report his findings and recommendations to me. I will reserve judgment on the issue pending the outcome of that effort.

Our proposal for establishing an organization of citizens, an "Association" at no cost to the Government, dedicated to developing among the American people private sector support for the work of the National Archives and Records Service is in the developmental phase. In addition, strategy is being formulated on the need to seek enabling authorization that will permit solicitation of gifts and funds.

Question 2. What procedures does GSA use to review the annual budget requests for office and staffing submitted by each former President?

Answer. Regional agency officials meet with the former President's staff to discuss funding needs for the coming fiscal year. Based upon this interaction, a funding request is submitted on behalf of the former President by the regional office to the Central Office where it is then reviewed as part of the agency's normal budget review and formulation process.

Question 3. What sorts of audit procedures are used to review costs incurred by former President?

Answer. Expenditures for daily operation of the former President's office are reviewed by the agency's regional budget staff, and once approved documents are forwarded to the finance office for payment. In order to assist the former President's office, the GSA Regional Controller provides guidelines concerning appropriate expenditures. On several occasions the former President's office has been informed that federal funds could not be used for a particular purpose.

Question 4. Does GSA look to see if any of the costs incurred were for partisan political purposes or for income generating purposes?

Answer. Former President's staffs are informed by GSA officials that no partisan political or income generating activities are to be associated with the former President's office. As all expenditures are reviewed prior to approval for payment, it is unlikely that federal funds would be used for these purposes.

Question 5. What sorts of limits are there today on the size or type or location or number of offices that a former President can have?

Answer. The Government provides suitable office space, adequately furnished. GSA policy has been that the former President is entitled to an office and furnishings comparable to that provided to a cabinet official.

A former President is provided with one office, and the geographic location is left to the former President. However, actual location of the office within a city has been subject to negotiation between the former President and GSA officials. For example, when former President Nixon wished to locate his office in the Chrysler Building in New York, GSA officials persuaded him to accept available, less costly space in the federal building.

Question 6. S. 1325 places a cap of 40,000 square feet on the size of Presidential libraries, a cap that the General Accounting Office agrees is adequate to accomplish the primary role of a Presidential library. I can understand any concerns about establishing a size limit which will prevent Presidential libraries from housing the significant historical documents a President generates during his term in office. After all, the Archivist of the United States pointed out back in 1955 when Congress passed the Presidential Libraries Act, the primary purpose of the libraries is to bring together, maintain, and preserve Presidential papers for scholarly research. Today's Presidential libraries average over 70,000 square feet in size, but an average of only about 20,000 square feet is devoted to archival space for Presidential papers. As GSA pointed out, museum space typically takes up a significant portion of the rest of the space, usually more space than is devoted to archival storage.

I would like your thoughts on how well today's library system reflects the original purposes of the Presidential Libraries Act of 1955.

Answer. Presidential libraries today are important research centers in which historians, political scientists and others may study materials relating to all aspects of a President's career. They also are institutions widely recognized for their service to the public through their museums. Both aspects of Presidential library programs re-

flect the original purposes of the Presidential Libraries Act of 1955. The first Presidential library, that of Franklin D. Roosevelt, was designed and constructed with archival storage and research facilities and with prominent exhibit rooms. The Roosevelt Library was the model on which the Presidential Libraries Act of 1955 was based. In testimony concerning the Act, then Archivist of the United States Wayne Grover emphasized the importance of libraries for scholarly research. He also stated: "The operation of exhibit rooms as part of a Presidential library has proven itself to be a most valuable aspect of the activities of such an agency, not only because of its cultural and historical significance but because it can help the cost of operation."

Museum areas occupy a substantial amount of space in each Presidential library building. This is understandable because of the physical requirements necessary for displaying significant historical materials and accommodating large number of visitors. The percentage of program space in Presidential libraries devoted to museums has remained fairly constant, however, between a minimum of 30 percent at the Kennedy Library and a maximum of 45 percent at the Eisenhower Library. Museum areas in both the earliest, the Franklin D. Roosevelt Library, and the most recent, the Gerald R. Ford Library, occupy approximately 38 percent of library program space.

In addition to archival storage areas and museum space, Presidential library facilities also must include adequate space for staff and administrative offices and lobbies and other public use areas.

Question 7. The General Accounting Office notes that the 1983 budget requests for the operation and maintenance of Presidential libraries comes to \$15.3 million. It also points out an undeniable trend that the initial size of Presidential libraries get bigger and bigger, and existing libraries continue to grow.

Back in 1955, Archives officials estimated that the maintenance cost of 15 Presidential libraries at the end of 100 years would be only \$1.5 million. It is also worth noting that the Library of Congress houses the papers of 23 Presidents—including Washington, Jefferson, Lincoln and Teddy Roosevelt—at a cost, in 1979, of only about \$200,000. It is clear that the costs of Presidential libraries has escalated out of control.

I believe that we can control these costs by putting a cap on the size of Presidential libraries. GSA opposes such a cap. How would you propose limiting the growth in the cost of running Presidential libraries?

Answer. While the cost of operating Presidential libraries has increased since 1955, the increase in real terms is less than it appears at first glance. The \$14.9 million requested for the Office of Presidential Libraries for Fiscal Year 1983 includes funds for purposes other than operating the several existing libraries. This request also includes funds to: (1) administer Nixon White House materials under the Presidential Recordings and Materials Preservation Act, (2) carry out the National Archives and Records Service's responsibilities under the Presidential Records Act of 1974, (3) Administer the papers of President Carter pending the establishment of a Carter Library, (4) carry out preservation work on holdings of all libraries to ensure their permanence, and (5) administer the provisions of the Freedom of Information Act and the provisions of Executive Order 12356 on the mandatory and systematic review for declassification of national security information. These activities were not envisioned in 1955 when the original cost estimates for Presidential Libraries were prepared.

The original estimates of the future costs of Presidential libraries were made without any significant factor for inflation. Concerned with rising costs, the previous Administrator of General Services commissioned a detailed study of the growth in the cost of Presidential libraries. This study, which I am enclosing for submission in the record, concluded that more than 83 percent of the increase in costs of libraries was accounted for by inflation. The study also concluded that the growth in program costs was only 13.2 percent in constant dollars. This increase has been necessitated by the growth in research use of these archival facilities—for example, the number of researchers using the Roosevelt Library more than doubled since 1955—and by the tremendous increase in the volume of Presidential papers since Presidential libraries were first established.

For these reasons I do not believe that the cost of administering Presidential libraries is out of control, since costs have not increased as substantially as an initial examination would indicate.

Question 8. In the past, GSA has supported the idea of issuing building and design standards for Presidential libraries. However, GSA has opposed a cap of the total size of libraries, contending that such a limit might prove too restrictive. GSA wants

to have the flexibility to accommodate the libraries which might contain large collections of documents.

A. What role do you think the museum component should play in any design standards for Presidential libraries which GSA might use?

Answer. Conceptually, GSA supports the idea that the Administrator of General Services, in consultation with the Archivist of the United States and the Commissioner of Public Buildings, should promulgate design standards as a potential way to cut costs for Presidential libraries. Establishment of such standards would help ensure function design and economical operation of future Presidential libraries. Exhibit facilities would be among the elements of Presidential library buildings covered by such design standards. Such standards might specify appropriate temperature and humidity controls for museums to ensure the preservation of materials displayed there. They might provide for sufficiently flexible design of exhibit spaces to permit economical installation of new exhibits. Such standards also might describe necessary rest room facilities, fire exits and similar features to ensure the health and safety of museum visitors.

B. To what extent do your concerns about the size limitations contained in S. 1325 take into account new storage techniques, such as microfilming?

Answer. In his testimony concerning S. 1325, Dr. Robert M. Warner, Archivist of the United States, states that the appropriate size for a Presidential library is dependent on the length and scope of a President's public career, the volume of historical materials to be deposited in the library, the number of researchers and members of the public who may wish to examine the materials, and other variable factors. One of the factors cited by Dr. Warner, the volume of historical materials to be deposited in a library, could be substantially affected by new technologies that would permit miniaturization and rapid retrieval of Presidential materials. At present, however, no technology is available to satisfactorily reduce the bulk of Presidential materials at reasonable cost. Reprographic media such as microfilm and microfiche can be useful tools for preservation and reference use; however, their cost is prohibitive for comprehensive application in archives.

We continue to investigate possible techniques for reducing space required to store archival materials at Presidential libraries; for example, compact shelving units are being considered for future libraries. Furthermore, as techniques for reducing the volume of archival materials at reasonable cost become available they will be considered for application on Presidential libraries.

Question 9. Could you give us your thoughts on how the prospectus system works currently for GSA, and compare the provisions in S. 1325 with those in the existing law?

Answer. Section 7 of the Public Buildings Act of 1959 states that "no appropriation shall be made" for various categories of public building projects unless a prospectus therefore has been approved by the Committees on Public Works of the House and Senate, respectively. The "no appropriation shall be made" language has been interpreted by the Department of Justice as relating only to internal rulemaking of the Congress having no application to the Executive Branch of Government. On the other hand, the Department of Justice has consistently taken the position that legislation that requires executive agencies to "come into agreement with" committees of the Congress before taking action authorized by law is unconstitutional in that it represents an attempt by the Congress for its Committees to participate in the execution of authorities granted by law to the executive departments. We defer, however, to the Department of Justice as to the constitutionality of the sections of S. 1325 which relate to Committee action with regard to the acceptance of Presidential archival depositories, and subsequent improvements to the depositories after acceptance.

Question 10. In August of 1981, the House Government Operations Committee issued a report recommending changes in the funding for Presidential libraries. I understand that GSA has implemented at least one of the recommendations in the report.

One recommendation dealt with the SLUC charges. SLUC is the Standard User Charge that the GSA imposes on Federal agencies using Government buildings, as kind of an equivalent to rent. The Committee was concerned because the SLUC charges for Presidential libraries has grown so rapidly that the Archives Service was considering personnel cuts, unless SLUC could be reduced. (See response to question 11.)

The Committee recommended that the rental portion be eliminated, and that maintenance costs be based on actual costs incurred, instead of on the standard SLUC formulas used for other Federal buildings.

What has been GSA's response to these recommendations?

How do the expenses and services that the Archives Services provides for Presidential libraries differ from the kinds of expenses and services associated with other Federal archives?

Answer. I fully support the recommendation of the House Government Operations Committee concerning the elimination of the Standard Level User Charge for Presidential libraries in favor of payments for actual costs. In fact, my decision on this matter was made and implemented prior to the issuance of the House Committee's report. This decision was based on a legal opinion by the Public Buildings Service counsel dated March 1, 1982, which concluded that since Presidential libraries are constructed with private funds and donated to the United States and since the facilities are special purpose buildings not generally suitable for reassignment to other Federal agencies for non-archival use, they do not meet the definition of "public buildings" in the 1959 Public Buildings Act and are therefore not subject to SLUC charges.

The expenses and services provided for Presidential libraries are essentially identical to those provided for other Federal archival facilities including the National Archives Building in Washington, D.C. All archival facilities require special environmental controls to maintain a constant temperature and humidity in document storage areas. They also require special security arrangements to meet national security requirements and to protect items with high intrinsic or monetary value. And finally, a higher than normal level of cleaning is required for public areas in all Federal buildings including Presidential library museums and the National Archives Exhibition Hall.

The cost of these services is dependent on the wage rate for the particular geographic area in which the buildings are located. While there is some variation from one part of the country to another, the costs are generally comparable.

Question 11. With respect to the maintenance charge portion of SLUC, what Federal buildings presently are not assessed charges under the SLUC formula?

Answer. Public buildings under the control of GSA may be exempted from SLUC under Public Law 92-313 if it is infeasible or impractical for GSA to charge for the space. While such exemptions are rare, we do occasionally grant them for buildings that are unique or special purpose in nature where no commercial equivalent exists. The agencies occupying these buildings usually pay GSA on an actual cost basis in lieu of SLUC.

There are currently four buildings of this nature. These include such buildings as a theater and a civil defense installation.

1. Civil Defense Regional Center, Maynard, Mass.
2. Federal Executive Institute, Oak Ridge, Tenn.
3. Smithsonian Institution, Carver Theatre, Washington, D.C.
4. Smithsonian Institution, Laboratory, Rockville, Md.

Chairman ROTH. I want to welcome at this time Mr. Robert Powis, the Deputy Assistant Secretary, Enforcement, of the Department of Treasury.

We are very pleased to have the other gentlemen, whom I would ask you to introduce.

TESTIMONY OF ROBERT E. POWIS, DEPUTY ASSISTANT SECRETARY (ENFORCEMENT), DEPARTMENT OF THE TREASURY, ACCOMPANIED BY JOHN R. SIMPSON, DIRECTOR, U.S. SECRET SERVICE, AND J. ROBERT MCBRIEN, DEPUTY, SECURITY AFFAIRS AND CRISIS MANAGEMENT

Mr. Powis. Thank you, Mr. Chairman, Senator Chiles.

The other gentleman, at my left, is Director John R. Simpson of the Secret Service, and to my right, Mr. J. Robert McBrien, the Deputy for Security Affairs and Crisis Management in our office in Treasury.

I appreciate the opportunity to appear before you today to discuss the role of the Secret Service in the protection of former Presidents and their families. I will attempt to summarize my statement.

In your letter inviting me to testify, you requested that I expand upon the Treasury Department's comments on S. 1325, the "Former Presidents' Facilities and Services Reform Act of 1981," contained in the September 15, 1981, letter to this committee from Treasury's Deputy General Counsel. We will be pleased to clarify our views on S. 1325 during this hearing.

The Secret Service has had statutory responsibility for the permanent protection of former Presidents since 1965 and their wives, widows and minor children since 1968. This responsibility is codified in section 3056(a) of title 18 of the United States Code, which, of course, is also the statutory authority for the Secret Service to protect the President, Vice President or other officer next in succession, the President-elect and the Vice President-elect, and their immediate families. Section 3056(a) also assigns protective responsibility to the Secret Service for visiting foreign chiefs of state or heads of government and, as directed by the President, other distinguished foreign visitors to the United States or U.S. officials on special missions abroad.

The permanent protectees of the Secret Service include former Presidents, their wives and minor children and, in two instances, their widows.

Presently, the Secret Service is protecting former Presidents Carter, Ford, and Nixon, the wives of each of them, Amy Carter, Mrs. Johnson, and Mrs. Truman. This means that nine individuals who are now receiving protection are also presently within the categories that would be directly affected by the proposals in title III of S. 1325.

Obviously, the protection of President and Mrs. Reagan and Vice President Bush would be affected by S. 1325 after their terms of office conclude.

All of the persons for whom Secret Service protection is mandated receive that protection because the Congress has determined that individuals in those categories are likely to be at some level of risk which arises from their present or past association with domestic or international political offices.

In the case of the permanent protectees, the nexus for Secret Service protection is the close association with the Presidency. This protection reflects the security risks inherently involved in a close relationship with that office. Thus, under its statutory authorities, Secret Service protection is provided for those who are or have been President, their family members, the immediate successors to the Presidency and those who are seeking the office.

That part of S. 1325 which relates directly to this protection is title III. As we noted previously, it would amend 18 U.S.C. 3056(a) as it relates to protection for former Presidents and their spouses, minor children and widowed spouses of former Presidents. It would also add limited authority for the protection of former Vice Presidents.

While it is perhaps true that there may be a reduced danger to former Presidents who have been out of office for a substantial period of time, we question whether a point in time can be designated at which continued protection is no longer necessary.

Former Presidents remain in the public eye for the rest of their lives, as do their spouses or widows. They in effect become the Na-

tion's "elder statesmen," whose views are often sought on current issues and whose activities are closely monitored by the press and public, both domestic and international.

Providing Secret Service protection to former Presidents is appropriate. These individuals have occupied the highest office in our country; they inevitably have been involved in numerous controversies; they have become persons about whom strong feelings are held; and they have lost any prospect of privacy.

Under these circumstances, it would be most inappropriate to place an economic value on the personal safety of these individuals who continue to be symbols of the nation's highest office.

We must also recognize that the conditions in which our former Presidents must exist are significantly more menacing than when the Congress first decided to extend Secret Service protection throughout the lifetime of the former Chief Executive. Terrorism has become a global challenge to political stability and to the normal resolution of international and nationalistic disputes.

The United States should not willingly expose itself to the national grief and recriminations as well as the immense political disruption which would accompany a kidnapping and assassination by terrorists like that executed against former Italian Prime Minister Aldo Moro. This age of terrorism is not the time to eliminate protection for those persons whose official associations act as a catalyst for personal danger.

The basic principles and concerns apply to the protection of spouses, widows, and minor children of former Presidents. The level of public interest remains long after the former President has left office or died. Although the number and frequency of the threats against these individuals has traditionally not been high, the availability and use of Secret Service protection may well be a contributing factor to that salutary result.

Furthermore, the generalized threat of terrorism has continued to grow, thus, giving further justification to this type of protection. We do not believe that these persons should be made into more appetizing targets by eliminating their protection.

To eliminate lifetime protection for either former Presidents or their spouses or widows could easily lead to consequences that the Nation as a whole is not prepared to accept. When viewed in this context, the cost of providing continued protection seems relatively small when compared with the possible alternatives.

Costs are, of course, of very considerable concern to the Treasury Department. However, we recognize that there are international and domestic political costs as well as national emotional costs associated with the assassination of any one of these protectees.

These factors are not quantifiable, but the impact of such events is likely to be of a magnitude utterly disproportionate to any monetary costs which would have attached to protection. Former protectees and their spouses have the option to decline protection.

Because of the hostile interests which they engender as office holders and because of the "political capital" which terrorists or mentally deranged persons might envision in an attack on them, we believe that the addition of protection for former Vice Presidents for a period of time following their terms of office is a wise initiative.

As I noted at the outset of this statement, Congress has already set the precedent for such transitional protection following the 1977 and 1981 inaugural ceremonies. Therefore, Treasury, with the exception of the proposed protection of the Vice President, opposes any change in existing law with respect to permanent Secret Service protectees.

The Treasury Department believes that those aspects of S. 1325 which would establish committees and panels to determine who should receive protection are ill-advised; and we strongly and unequivocally oppose them.

Mr. Chairman, that concludes the summary of my statement. We would be happy to answer any questions which you might have.

Chairman ROTH. I would like to point out—I don't know whether we have a chart or not—but the cost of Secret Service protection has risen for former Presidents from something like \$49,507 to a projected \$10,300,000. So this is a very substantial cost.

It is not, alone, going to break the budget. I agree with that, but at the same time, it is growing very quickly. The point I want to make is I do not think anyone is suggesting that security should not be available if needed. I think the problem is whether or not we should, as a matter of law, provide it for a lifetime, as you can make some of the same arguments for other public figures, not only once they retire. The Secretary of State is often very controversial. You can make the argument that he ought to have protection for a lifetime.

Nobody has ever made a threat against me, but I guess you could make the same argument for a Senator.

One of my concerns, frankly, is this whole question of security, not only at the Federal level, but at the State level, has become an advanced growing fact of political life. I think much of it is important. As one who has watched what has happened and seen close friends be the victims of assassination efforts, I am very sympathetic to giving protection where it is needed. But it does seem to me that there is great merit in the proposal of this bill that somewhere down the road that protection be given on the basis of need and not automatically.

Right now, for example, as I understand it, isn't it true that the Cabinet members receive protection on an as-needed basis? Isn't that correct? It is not automatic for the Secretary of Treasury or any of those who have it, but it is based on need?

Mr. POWIS. Mr. Chairman, I believe that some Cabinet members, from time to time, do receive some protection.

Chairman ROTH. But they don't have it automatically, and they don't have it after they leave office. So that it seems to me that there is precedent that you set up some kind of a mechanism, which this bill does, to provide protection where it is necessary. I think Senator Chiles already pointed out that the Secret Service protection for some of the widows of former President seems a rather foolish utilization of Federal funds when they may have greater need elsewhere for protection.

If I understand your testimony, you are saying that there should be "No changes with respect to former Presidents," and the only change you would support is to provide extended service to the Vice President; is that correct?

Mr. POWIS. That is correct, Mr. Chairman. The 6-month provision for the Vice President would match what has happened kind of on an ad hoc basis with the last two changes of administration.

Chairman ROTH. What kind of protection does the Queen of England have? How much does she have?

Mr. POWIS. Sir, I don't know what she has right now.

Chairman ROTH. Not enough. There is some truth in that.

I agree with you, and I want to strongly underscore, that the Secret Service should be available when the situation is such that it is required. But I do feel that there is great merit in the notion that somewhere along the road we no longer make it automatic for the former Presidents and their spouses.

Let me ask you two final questions.

Making the assumption we are going to cut it off at some point and make it on the basis of need, would 8 years be reasonable period, or is that too long? Would 4 years be enough? Would you have some other recommendation?

Mr. POWIS. Mr. Chairman, the Department's feeling is that with respect to former Presidents, that it be for lifetime, and we are——

Chairman ROTH. I understand that, but I am saying, assuming that we are going to make some change, would you have any views where a logical cutoff date would be?

Mr. POWIS. My personal view would be the longer the better, and I think it should go well beyond 8 years. I think if we look at the people who fall into the category of former Presidents right now, that it may indicate that they should receive protection for a lot longer than 8 years.

Chairman ROTH. Let me ask you a second question.

I understand from a security point of view you may not want to be specific, but the number of agents that are made available on each assignment varies. I suppose you have three teams over a 24-hour period. Is it possible to phase down the number as time goes on?

Mr. POWIS. Mr. Chairman, the number of people on the details is consistent with the threat levels. It varies. Perhaps Director Simpson might want to address this issue.

Mr. SIMPSON. We have looked into the particular question that you have asked, Mr. Chairman.

We are in the process of reallocating our manpower as we deem necessary depending on what the threat level might be at any given time. Senator Chiles mentioned that earlier on, as far as Mrs. Truman is concerned, we have addressed that in a different manner, as we might address others depending on this situation.

Chairman ROTH. At what stage would you phase in a lesser number?

Mr. SIMPSON. That is a hard question to answer, Senator. It is one of those situations that, for instance, in 1970, 50 percent of the terrorists acts were directed toward property and 50 percent toward people. In 1981 a new trend had become evident. It was 80 percent toward persons and 20 percent toward property.

It is one of those prognostications that I don't think I am capable of making, nor is any other human being.

Chairman ROTH. I guess my concern is that there is always some risk, I suppose, in existence. Let me go back for a moment.

I think probably one of the most sensitive jobs in Federal Government is the Secretary of State. Talking about terrorists, maybe he is as logical a target as the Chief Executive or certainly a principal target. Can't you make the same arguments? For example, I understand that there were some threats against the former Secretary of State, Mr. Kissinger, after he left office. Should we be giving him lifetime protection?

Mr. POWIS. Senator, there is no statutory authority for that. He did receive some protection for a period of time after he left that office, and it was because of the threat situation, but there is no statutory authority for that.

Chairman ROTH. I guess where I come out to is I think that for a limited period we ought to continue protection, particularly in the case of former Presidents. But after that, I think it ought to be made available only when needed not only to former Presidents but to other key officials who are threatened because of their service.

Mr. Chiles?

Senator CHILES. What I think is interesting to note, Mr. Powis, is that you think 6 months is long enough for a Vice President, but there never is a cut-off period for a wife of a former President. That just sounds like a little bit convoluted logic.

Mr. POWIS. Yes, Senator. I think the rationale there is that the wife of the former President, in view of that relationship, she carries with her a lot of the feelings and animosity that may exist on the part of people and/or groups toward the President in his time in office.

Senator CHILES. Is that borne out at all in any of your threat assessments?

Mr. POWIS. There is no question, Senator, that the amount of threats and the amount of cases where there are an abnormal direction of interest are less, are considerably less for former First Ladies and widows. There is no question about that.

Senator CHILES. Absolutely. It is also less as time goes on for any other person who has held office, including the Presidents and former Presidents themselves.

Mr. POWIS. Generally, that is true.

Senator CHILES. It is the same thing even with the Secretary of State or someone else that is in a high visibility position, as opposed to a——

Mr. POWIS. I think that is pretty much true unless they become controversial in terms of some position or some political cause.

Senator CHILES. Let me ask you this: What obligation does the Government have to continue such protection? Or, if we are continuing protection, to pay for such protection when a former President, for instance, is in a for-fee or a gainful activity? Suppose he travels and participates for his own profit. Suppose he is traveling around the world. Is the Government responsible for continuing and paying all of the additional protection that takes place when someone goes to other countries if he is doing so not in an official or formally official capacity, but strictly on a fee basis? I mean, he is being paid for it.

Mr. POWIS. Senator, the statutory——

Senator CHILES. I am not talking about the statute now. I am asking you for your views. You have given me your views, "Don't change the statute." We have got a bill here to change the statute, and you say your view is that we should not change it. I am asking you.

Mr. POWIS. What my view is, if you are given the statutory direction to protect somebody, you cannot just turn it off, and whether he is going for personal gain or for whatever purpose, and if he is going to the Mideast, for instance, or to some hot spot in the world, and you are charged with the responsibility, then you have to respond to that and carry out your obligation.

Senator CHILES. All right. Should there be a fee for that, or should we have something that says that, "If you elect to travel to these hot spots, for business or profitmaking reasons you are not entitled to protection?"

Mr. POWIS. I guess personally—

Senator CHILES. In other words, what is the taxpayer's responsibility in this?

Mr. POWIS. Certainly, I guess personally, if we are going to say we are going to protect these people, I don't think we should get into trying to do a fee in one situation and not to do a fee in another situation. That is a personal feeling.

Senator CHILES. Is there some stage where a former President, by virtue of activities that he elects to engage in, removes himself from the mantle of the former Presidents?

Mr. POWIS. I'm not sure I understand what you mean, sir.

Senator CHILES. Well, suppose a former President decides to become an international banker, and he decides to go to Beirut and Saudi Arabia and all kinds of places making deals and putting together international monetary transactions.

Is he sometimes a former President as such, or is he electing to become a businessman, to go back to a civilian status?

Mr. POWIS. Under our present setup, for the purpose of the setup, he is a former President. He would receive the protection. Certainly, if he were going to go to Beirut at this time, we would strongly advise against it. [Laughter.]

Senator CHILES. Mr. Simpson would advise against it, too, but I can imagine what he would have to do to cover that should he decide to go.

When we heard from our former director of the Secret Service his feeling was that, based on previous assessment of threat, it would not be necessary to continue to protect the widows of former Presidents, but it looks like we may now have a change in that situation.

Mr. SIMPSON. Senator, I think that when he made that statement, it was just after the assassination attempt on President Reagan. I think that if you project from that point on, we had the attempted assassination on the President, as mentioned, the attempted assassination on the Pope; we had the assassination of John Lennon; we have had assassinations of the Turkish Counsel General, both in Boston and Los Angeles, and as I mentioned earlier, what has taken place is a change of direction by terrorists from property to persons. I think we have to keep that in mind when we are contemplating any types of changes.

I believe that the former director was very candid with you, and he was very truthful in stating his opinion at that time.

However, whether it is minimized or not, I don't know if that is the issue. I think the issue is the sensitivity to the public of the people who we are talking about. Where do we hold them in the public eye? What does the American public and what does the Congress see fit, as far as protection is concerned, and are they willing to take the risk, the embarrassment that might be caused to the United States if, God forbid, something should ever happen to one of them.

Senator CHILES. I note that, again, you get into a situation concerning widows of former Presidents who decide to take a trip—a trip to Greece, for example, as one of the widows took. That was a pretty expensive trip, was it not, for the Secret Service?

Mr. SIMPSON. Yes, sir.

Senator CHILES. It necessitated the seeking of a supplemental from the Appropriations Subcommittee at the time.

Mr. SIMPSON. I will have to go with your expertise on that, sir. I do not know what it did or did not cost.

Senator CHILES. Again, we are not talking about unlimited resources. Some of these threats that you have mentioned have certainly increased the protection that the service is having to give to the President himself, are they not?

Mr. SIMPSON. I think that is a fair statement, yes.

Senator CHILES. And increase your manpower requirements?

Mr. SIMPSON. Yes, sir.

Senator CHILES. You have asked for additional manpower; you have asked for additional assets from the Congress to cover these requirements.

Can you tell me what your budget went to from 1970 to 1982, basically?

Mr. SIMPSON. I would say it increased proportionately—I can't give you the exact figures—but I am sure that the increase was considerable.

As I have been told by some of the pundits in the area of terrorism, we are in a growth industry. I don't know whether we can turn back the clock on that, Senator.

Mr. POWIS. Senator, I think it is worth noting that the Secret Service has not received additional personnel in connection with the taking on of responsibility for the protection of former Presidents Ford, Nixon, and Carter. They have not received additional personnel for those specific functions.

Senator CHILES. But your requirements have been increased, tremendous requirements that have gone far beyond what was to be the Secret Service's original function.

Mr. POWIS. That is correct.

Senator CHILES. We are, in effect, seeing the tremendous requirements from this area, and we still send agents and resources to places where there is a lower, much lower threat assessment.

Mr. POWIS. Yes, sir. The resources, basically, that were diverted in that area were taken from the investigative function in connection with the forgery of Government checks.

Senator CHILES. Counterfeiting?

Mr. Powis. The resources have not been drawn from the counterfeiting area, sir. We are still very much on top of the counterfeiting situation in the country.

Senator CHILES. I don't have any other questions.

Chairman ROTH. Thank you, very much, gentlemen.

Mr. Powis. Thank you, sir.

Thank you, Senator Chiles.

[Mr. Powis' prepared statement and responses to written questions submitted by Senator Chiles follow:]

PREPARED STATEMENT OF ROBERT E. POWIS

Mr. Chairman and Members of the Committee, I appreciate the opportunity to appear before you today to discuss the role of the Secret Service in the protection of former Presidents and their families. I am accompanied this morning by John R. Simpson, director of the U.S. Secret Service and J. Robert McBrien, Deputy for Security Affairs and Crisis Management in our office.

In your letter inviting me to testify, you requested that I expand upon the Treasury Department's comments on S. 1325, the "Former Presidents' Facilities and Services Reform Act of 1981", contained in the September 15, 1981, letter to this Committee from Treasury's Deputy General Counsel. We will be pleased to clarify our views on S. 1325 during this hearing.

The Secret Service has had statutory responsibility for the permanent protection of former Presidents since 1965 and their wives, widows and minor children since 1968. This responsibility is codified in section 3056(a) of title 18, United States Code, which of course, is also the statutory authority for the Secret Service to protect the President, Vice President or other officer next-in-succession, the President-elect and the Vice President-elect, and their immediate families. Section 3056(a) also assigns protective responsibility to the Secret Service for visiting foreign chiefs of state or heads of government and, as directed by the President, other distinguished foreign visitors to the United States or United States officials on special missions abroad.

The Secret Service's statutory responsibility for the protection of certain categories of individuals is not limited to section 3056(a). In addition to the enumerations contained in that statute, Public Laws 90-331 and 96-329 established the responsibility for the protection of major Presidential and Vice Presidential candidates and following the nominating process, the major nominees and, for 120 days before the general election, their spouses. Finally, during the 1976-77 and 1980-81 transitions from office, the Congress enacted laws of limited duration which provided for the protection of the immediate former Vice President and his spouse for no more than six more months following the Inauguration.

As illustrated by this description of the statutorily enumerated protective responsibilities of the Secret Service, the categories of protected persons are sizeable, particularly during Presidential campaign years. And, as you might surmise, some of the categories will involve very substantial numbers of protected individuals: visiting foreign chiefs of state and heads of government and major Presidential and Vice Presidential candidates.

However, protection for the various foreign visitors is always of limited duration and candidate protection only occurs at four-year intervals. Thus, while the Service protected 94 foreign dignitaries during 1981 and 12 candidates, nominees and their spouses during the 1980 Presidential Campaign, those persons are not part of the more limited group of individuals receiving full time protection on a daily basis: the "permanent protectees" of the Secret Service.

The permanent protectees include former Presidents, their wives and minor children and, in two instances, their widows. Presently, the Secret Service is protecting former Presidents Carter, Ford, and Nixon, the wives of each of them, Amy Carter, Mrs. Johnson, and Mrs. Truman. This means that nine individuals who are now receiving protection are also presently within the categories that would be directly affected by the proposals in Title III of S. 1325. Obviously, the protection of President and Mrs. Reagan and vice President Bush would be affected by S. 1325 after their terms of office conclude.

All of the persons for whom Secret Service protection is mandated receive that protection because the Congress has determined that individuals in those categories are likely to be at some level of risk which arises from their present or past association with domestic or international political offices.

In the case of the permanent protectees, the nexus for Secret Service protection is the close association with the Presidency. This protection reflects the security risks inherently involved in a close relationship with that office. Thus, under its statutory authorities, Secret Service protection is provided for those who are or have been president, their family members, the immediate successors to the Presidency and those who are seeking the office.

Authority for the Secret Service's protection of our former Presidents was first included in Section 3056 in 1962. The law at that time provided for protection, if requested, for a "reasonable time" after the President left office. Protection was extended to a former President's lifetime in 1965. This protection may be declined by the protectee.

The protection of former First Ladies was first provided for in legislation following the assassination of President John F. Kennedy. When first enacted, the legislation applied only to Mrs. Kennedy and her children and only authorized protection for two years. In late 1965, however, the wife, widow and minor children of former Presidents were added to the list of those entitled to protection under Section 3056. This authorization continued for a period of four years after the President left or died in office. This time limit was extended in 1967 to March 1, 1969, for widows and children receiving protection at the time of enactment. Finally, in October of 1968, the basic protective authority was again amended to provide protection on a permanent basis for spouses of former Presidents and for a widowed former First Lady until her death or remarriage and for minor children of a former President until they reached 16 years of age. An option to decline protection was also included in the amendment.

That part of S. 1325 which relates directly to this protection is Title III. As we noted previously, it would amend 18 U.S.C. 3056(a) as it relates to protection for former Presidents and their spouses, minor children and widowed spouses of former Presidents. It would also add limited authority for the protection of former Vice Presidents.

While it is perhaps true that there may be a reduced danger to former Presidents who have been out of office for a substantial period of time, we question whether a point in time can be designated at which continued protection is no longer necessary. Former presidents remain in the public eye for the rest of their lives, as do their spouses or widows. They in effect become the nation's "elder statesmen," whose views are often sought on current issues and whose activities are closely monitored by the press and public, both domestic and international.

Providing Secret Service protection to former Presidents is appropriate. These individuals have occupied the highest office in our country; they inevitably have been involved in numerous controversies; they have become persons about whom strong feelings are held; and they have lost any prospect of privacy.

Under these circumstances, it would be most inappropriate to place an economic value on the personal safety of these individuals who continue to be symbols of the nation's highest office.

We must also recognize that the conditions in which our former Presidents must exist are significantly more menacing than when the Congress first decided to extend Secret Service protection throughout the lifetime of the former Chief Executive. Terrorism has become a global challenge to political stability and to the normal resolution of international and nationalistic disputes. The United States should not willingly expose itself to the national grief and recriminations as well as the immense political disruption which would accompany a kidnapping and assassination by terrorists like that executed against former Italian Prime Minister Aldo Moro. This age of terrorism is not the time to eliminate protection for those persons whose official associations act as a catalyst for personal danger.

The same basic principles and concerns apply to the protection of spouses, widows, and minor children of former Presidents. The level of public interest remains long after the former President has left office or died. Although the number and frequency of the threats against these individuals has traditionally not been high, the availability and use of Secret Service protection may well be a contributing factor to that salutary result. Furthermore, the generalized threat of terrorism has continued to grow, thus, giving further justification to this type of protection. We do not believe that these persons should be made into more appetizing targets by eliminating their protection.

To eliminate lifetime protection for either former Presidents or their spouses or widows could easily lead to consequences that the nation as a whole is not prepared to accept. When viewed in this context, the cost of providing continued protection seems relatively small when compared with the possible alternatives.

Costs are, of course, of very considerable concern to the Treasury Department. However, we recognize that there are international and domestic political costs as well as national emotional costs associated with the assassination of any one of these protectees. These factors are not quantifiable, but the impact of such events is likely to be of a magnitude utterly disproportionate to any monetary costs which would have attached to protection.

Because of the hostile interests which they engender as office holders and because of the "political capital" which terrorists or mentally deranged persons might envision in an attack on them, we believe that the addition of protection for former Vice Presidents for a period of time following their terms of office is a wise initiative. As I noted at the outset of this statement, Congress has already set the precedent for such transitional protection following the 1977 and 1981 Inaugural ceremonies. Therefore, Treasury, with other exception of the proposed protection of the Vice President, opposes any change in existing law with respect to permanent Secret Service protectees.

The Treasury Department believes that those aspects of S. 1325 which would establish committees and panels to determine who should receive protection are ill-advised; and we strongly and unequivocally oppose them.

The mechanism contained in section 303 of the bill would impose two layers of additional evaluators and decision-makers to the process for determining that these individuals are in need of protection. This proposal appears to be unduly burdensome and not in keeping with the need to make quick decisions on the provision of protection to certain individuals. The members of the panel would have no special expertise in protection matters yet they would be required to evaluate complex intelligence data bearing on threat estimates and other factors essential to making informed judgments.

Title III would also establish executive functions in the Advisory Committee that is used during Presidential Campaign years to suggest to the Secretary which candidates should or should not be considered to be major. Consistent with the Doctrine of Separation of Powers, this Committee's current function is purely advisory; the Secretary of the Treasury retains all of his executive authority. The Committee established by Public Law 90-331 does not advise the Secretary on whether generic conditions or specific intelligence indicates that protection is needed. Rather, it advises him on the political question of "Who are the major candidates?". S. 1325 would change the current Advisory Committee's purpose and authority. In addition, we understand that the Department of Justice will be advising the Committee with respect to the constitutionality of these provisions.

That concludes my statement, Mr. Chairman. We would be happy to answer any questions.

RESPONSES TO WRITTEN QUESTIONS SUBMITTED BY SENATOR CHILES

Question 1. In 1980, an earlier version of our former President's bill was the subject of much discussion. We met with administration representatives, and several members of this committee were actively interested in the proposal.

I also had a chance to meet with former President Ford, and to discuss the provisions of the bill with him at some length. When we turned to the Secret Service protection provisions of the bill, he said that he felt Congress was best suited to make judgment as to Secret Service protection itself.

What in your estimation, are the factors Congress should take into account in making any determinations about Secret Service protection for former Presidents, their wives, their widows, or their children?

Answer. The factors which Congress should take into account in making determinations about Secret Service protection for former Presidents, their wives, their widows or their children, include:

1. The degree of unrest which exists in the country and the world;
2. The sharp rise in international terrorism in recent years;
3. The recent resurgence of domestic terrorism;
4. The identification of immediate family members with a former President's personality and policies;
5. The vulnerability of wives, widows, and children of former Presidents to kidnapping or attack by terrorists or mentally deranged persons;
6. The fact that even a relatively non-controversial former President arouses a great deal of animosity and hostility in people and groups who hold opposite views.

As I testified, we are in an age of terrorism which has produced a global environment significantly more menacing to former chief executives and their families than

previous international conditions. To remove this protection would be to invite terrorists to seek these softer symbolic targets as their victims. There is no reason to believe that the problem of terrorism is going to abate in the foreseeable future; indeed the long-range trends lines are that terrorism will get worse. The Congress should give very deep thought to taking action that would create a greater opportunity for terrorism to strike at highly visible national symbols of the American Presidency.

Obviously, the Congress cannot ignore the data that exists on known threats to the individuals who have constituted the category of former Presidents and their families. As we noted in the hearing, historically the number and frequency of threats against these individuals (other than the former Presidents themselves) has traditionally not been high; and we believe that the availability and use of Secret Service protection has probably been a contributing factor in the deterrence of specific threats. On the other hand, the data applies only to known threats; and, therefore, we cannot account for the mentally imbalanced individuals and terrorists who may have deadly intentions against these people but who have not come to the attention of the Secret Service. For these reasons, we think that this final factor of known specific threats is not the only criteria for the Congress to consider.

Question 2. I asked the following question of Stuart Knight, then Director of the Secret Service, just a year ago. "Former Presidents will always be somewhat controversial figures, but we all recognize that, as time goes by, the number of threats to a Former President certainly goes down. I guess this shows that after a point, a former President becomes just another famous person. Like other famous people, he might decide to hire his own protective service. What are your thoughts about relying on such private services and terminating Secret Service protection for a former President after he has been out of office for some number of years, perhaps with an option for Secret service protection to be re-instated in times of an actual threat?"

He said he would have no objection to such an approach. Do you feel that lifetime around-the-clock protection should be provided to former Presidents?

What factors should the committee take into account in weighing your viewpoint against the one of Mr. Knight?

Answer. I do feel that lifetime, around-the-clock protection should be provided to former Presidents. If we look at our presently living former Presidents, I do not believe that anyone could argue against protection for them for the foreseeable future. One of these former Presidents has been out of office for more than 8 years.

In weighing my viewpoint against that of former Director Knight, I believe that the committee should consider that the previous administration also disagreed with Mr. Knight regarding lifetime protection for former Presidents. I believe that the committee should also take into consideration the recent sharp rise in both domestic and international terrorism.

Question 3. In the hearing this committee had last year on the Secret Service protection aspects of former Presidents, Stuart Knight, then Director of the Secret Service, estimated that the costs of protecting former Presidents and their families exceeded 50 percent of the total cost of the Secret Service's overall protective mission. In 1980, that included spending \$3.4 million to protect President Ford, \$2 million to protect President Nixon, \$1.5 million to protect Lady Bird Johnson, and almost \$400,000 to protect Bess Truman. I understand that the costs for protection in 1982 will be about \$10.3 million. I also understand that you don't like to place economic value on the costs of this protection but \$10 million is a lot of money, and it ties up reserves that could be put to better use.

What in your estimation is the reason for providing special protection for spouses and widows, when we don't provide such protection to other Government officials, past and present, who are also very much in the public eye, such as Henry Kissinger or Walter Mondale, or Howard Baker or Chief Justice Burger?

Answer. The reason for the argument for protection for spouses and widows, when such protection is not provided to other past government officials, is the fact that these individuals are perceived as being closely aligned with the policies and personality of a former President. The fact that a former President has been very controversial can create a situation of danger for his spouse or widow even where the spouse or widow may be non-controversial. In other cases, widows or spouses of former Presidents have been relatively controversial in their own right because of causes supported or outspoken political views held. It should be noted that the costs of protecting former Presidents and their families do not exceed 50 percent of the total costs of the Secret Service's overall protective mission. The overall cost of the Service's protective mission is far greater than \$20 million.

Question 4. A special problem arises when a former President travels. As we both know, our former Presidents have tended to be very active in recent years. The cost

to the Secret Service, and ultimately to the taxpayer, for providing such protection can be considerable. In fact, in one hypothetical trip from Palm Springs to Ann Arbor, Mich., the cost of protecting a former President—the salaries, the travel, the per diem, and the preparation time—was estimated to be \$16,000. Let us say that trip was for a political or an income generating purpose. We don't want to stop a former President from traveling, but we're all looking for ways to reduce Government spending these days.

If such trips are made for income generating purposes, should we look at something like a "user fee" for Secret Service protection costs?

Answer. I believe that it would be impractical to consider something like a "user fee" for Secret Service protection costs when a former President makes a trip for income generating purposes. There could be a question of whether income was the sole purpose of the trip. A single trip could have income generating purposes plus numerous other goals. There would always be the question of deciding what percentage of the trip was for income versus other reasons. It would be extremely difficult to administer such a program. It would seem that if it is determined necessary for a former President to have protection, then he should have it regardless of his activities.

Question 5. Do other countries provide secret service protection for their former Presidents or Prime Ministers?

Answer. The information we have in this area is incomplete. It appears that some countries do provide protection for former Presidents and Prime Ministers whereas others do not. Our information indicates that Israel, Turkey, Great Britain, and Italy provide protection for former heads of state. Canada and the Philippines do not. West Germany, Japan, and France provide limited protection on an ad hoc basis depending on intelligence information and whether or not the protectee is acting in an official capacity on behalf of the Government.

Question 6. In their written comments last year on S. 1325, the Treasury Department was concerned with provisions in S. 1325 which cut off Secret Service protection for the spouses and widows of former Presidents. You noted that the fact that spouses and widows of former Presidents remained in the public eye for the rest of their lives justified round-the-clock protection.

But Stuart Knight, then Director of the Secret Service, sent a letter to me that seems to disagree with your concerns about spouses and widows. He said, and I quote: "To the extent that our protective authority would be modified, the proposal (regarding lessening protection to families and widows of former Presidents) appears to be justified on the basis of intelligence information gathered by the Secret Service regarding the wives, widows, and minor children of former Presidents. This data suggests that the numbers and kinds of threats directed toward this class of protectee are minimal and that the staffing and resources of the Secret Service can be better utilized in other areas of responsibility."

How can you explain and possibly reconcile the differences of opinion regarding these provisions?

Answer. I do not know the date when former Director Knight wrote to you regarding protection for the families and widows of former Presidents, but I would suggest that the following events which have occurred in fairly recent times change the perspective on such protection.

The attempted assassination of President Reagan on March 30, 1981.

The attempted assassination of the Pope.

The killing of John Lennon.

The murder of Colonel Ray in Paris.

The attempted assassination of the American chargé d' affaires in Paris.

The rocket attack on American Army General Kroesen in West Germany.

The Libyan terrorists threat in the Fall and Winter of 1981.

The kidnapping of American Army General Dozier in Italy.

Palestinian terrorism throughout Europe and the Mid-East.

The resurgence of the Weather Underground and other groups as evidenced by the Nyack hold-up and killings of police officers.

Recent bombing incidents by groups such as the FALN and OMEGA 7.

Armenian terrorist assassinations in the U.S. and abroad.

Furthermore, all of the long-term terrorism indicators are very ominous. They show:

More serious threats to human life.

Dramatic increase in assassination attempts.

Dramatic increase in attacks on diplomats.

Rapidly growing danger to the U.S. military.

Americans being targeted because they are Americans.

Global spread of terrorism.

Growth of state-sponsored terrorism, e.g., Libya.

Terrorists are starting to seek softer targets.

All of the above incidents indicate an international and domestic situation wherein violence against prominent public figures is increasing and has become commonplace. It is against this background, which has changed substantially in the past 2 years, that I explain and reconcile a different position from that taken by former Director Knight.

Chairman ROTH. Our final witness is Mr. Anderson from the General Accounting Office. He is Director of the General Development Division.

TESTIMONY OF WILLIAM J. ANDERSON, DIRECTOR, GENERAL GOVERNMENT DIVISION, GENERAL ACCOUNTING OFFICE, ACCOMPANIED BY NYE STEVENS, GROUP DIRECTOR, GENERAL GOVERNMENT DIVISION, AND KENNETH MEAD, OFFICE OF GENERAL COUNSEL

Mr. ANDERSON. Good morning, Mr. Chairman.

To my right is Nye Stevens, a group director in our General Government Division, recently recruited from the Office of Management and Budget.

To my left is Kenneth Mead, attorney in our Office of General Counsel, who leads a group of lawyers who provide assistance to the General Government Division.

With your permission, I will insert the full statement in the record and briefly summarize the principal points that we make in there.

First, it should be noted that we haven't done any new work for this particular appearance here today. We have done a number of related assignments in past years and looked at various Transition Act activities. I will be speaking from the information that we gathered in these earlier efforts.

There is a lot that we like in S. 1325. In fact, it reflects a lot of our own views and incorporates recommendations that we made at earlier points in time.

Let me say that as a summary. We also have some observations and some minor changes that we think should be made.

Let me start off on the subject of Presidential libraries. We do support the need for some type of a limitation and have indicated that 40,000 square feet seemed to be a reasonable figure in terms of present archival needs as reflected in the libraries that already exist today.

We had some concern about the question, "Well, what if you ever had an archival need that exceeded 40,000 square feet?" But the bill, in fact, does provide a mechanism whereby you can deviate from the requirements of the legislation with congressional approval.

As I listened to the earlier testimony, a couple of things came to mind: On the one hand, pardon me for being rhetorical, but since the Presidential Records Act of 1978, those records out there are now part of the National Archives system. Should we depend on public largesse to house them properly, from an archival standpoint? Perhaps you ought to be concerned with putting a limitation on the amount of space that should be devoted to museum activi-

ties—specifying the minimum and the maximum size of the museum as a way of controlling overall size.

Senator CHILES. You make a very valid point, because at the time we were granted with inducing some of the first Presidential libraries and having the Government pick them up, at that time the papers belonged to the Presidents. This was an inducement to bring their papers in so that the archivists and the other historians would be able to get a view of those papers as opposed to having the President's side, "That is our own prop, and we will keep it."

Now, it is the public prop, so we don't really have that kind of a situation anymore.

Mr. ANDERSON. Correct, sir. I guess the bottom line from the GAO standpoint would be we certainly agree with the thrust of the bill. There is a need to develop some kind of a mechanism to constrain what goes on out there, and in particular, concerning the amount of space devoted to museum purposes as opposed to archival purposes.

We also support the point that was made by one of the other speakers regarding the need to separate out assistance to former Presidents from the Transition Act.

In effect, we recommend deletion of section 4 of the Transition Act which now provides this assistance and providing all assistance under the mechanism of the Former Presidents' legislation.

We also suggest that provision be made in the bill that would very explicitly tighten GSA approval of expenditures that are made under the Former Presidents Act.

This was based on an audit that we had done of President Carter at the time of his incoming transition where we found that quite a number of expenditures of a questionable nature had not been approved in advance by GSA. In effect, they were given large sums of money to deposit into their own checking account and drew on that, and then they were approved after the fact by GSA.

I should note that under the Reagan transition, these problems did not exist, although the statutory base remained the same.

SHIPMENT OF PERSONAL EFFECTS

We believe that if, in fact, it is the committee's intent that personal effects of both the President and the Vice President should be moved at public expense to their permanent residences, specific provision should be made. This has been a matter of dispute in the past. The legislation would offer an opportunity to do something about it.

SECRET SERVICE PROTECTION

Well, you have just discussed that subject. There is a role for the Comptroller General in the bill, and I am advised that we have no objection to the role that is envisioned for him in there in selecting the members of this panel with the understanding that, obviously, he would have no role in the activities of the organization.

I would say from a personal standpoint, that I believe that the mechanism set up in the bill would still insure that protection is provided when needed; that it provides an oversight mechanism,

and I don't think it necessarily means that needed protection would not be provided.

SPOUSAL PENSIONS

GAO has a change of position here. When we commented on the bill in writing, we did make the point that pension provisions of spousal survivors under other Federal programs are, I think, in the case of most Federal officials, 55 percent of the retiree's pension; in the case of Federal judges, 40 percent.

At that time we said, "Well, maybe it should be something less than two-thirds." I think that we are not disposed to say that today. In fact, I think the Office of the President deserves some sort of special consideration; we have no basis to reject or agree with the two-thirds provision in the bill.

We certainly do not stand by our earlier comment that it should necessarily follow the provisions of one of these other retirement plans.

The other items are relatively minor, sir, and they are covered in our full statement, so I will stop there, and we will try to respond to any questions you may have.

Chairman ROTH. To be candid, on the question of the pensions, I would personally find it very difficult to support any change at this time. I think when we are limiting the cost of living, for example, for retirees, Federal retirees, that it would be highly inappropriate to change that of the widows.

Mr. ANDERSON. Mr. Chairman, let me make one point there that is connected with that point you are making. What bothered us initially was the fact that it was a fixed amount and didn't provide for the erosion that is bound to occur over time.

I am not saying that two-thirds should be it, but just not something fixed.

Chairman ROTH. Let me go first to the libraries.

You heard the line of questioning before. Does GAO have any comments on alternate approaches?

For example, rather than trying to limit the number of feet available, would it be better to limit the dollars that are made available for maintenance of these libraries, or do you think that this is a preferable approach?

Mr. ANDERSON. I think the legislation has a preferable approach, sir, even from the standpoint that this is an extension of the National Archives of the United States, and I would hate to limit the dollars that the Federal Government could make available in the hope that the moneys that are required to do it right, at least from the archival standpoint, would be coming from some other source or direction.

Chairman ROTH. What about the sort of extension and coverage of the museums and other things that really were not, I think, originally envisioned?

Mr. ANDERSON. I think that that could be addressed, perhaps, again, if there were some sort of a maximum amount of square footage that could be devoted to museum activities, perhaps the Federal Government could commit itself to fund a proportionate share of the total space.

For example, if you elected that 10,000 or 15,000 square feet would be the maximum devoted to museum activities, and, in some fashion, 30,000 square feet are provided, then the Federal Government should provide no more than a pro rata share based on this maximum limitation.

That is one approach that could be considered.

Chairman ROTH. Have you determined in your audits, does the GSA really oversee expenditures?

Mr. ANDERSON. Yes, sir, we have found that to be the case. They provided very effective oversight. It has been our experience in reviewing their review of the various expenditures that were made under the Transition Act, and the Former President's Act.

Chairman ROTH. I notice you raised a question on personal effects.

Should the Federal Government pay for personal effects every time a former President moves?

Mr. ANDERSON. Right now, it is not specifically authorized, and I understand that there have been instances in the past where the movement of personal effects was denied, at least to the Vice President.

Chairman ROTH. That at the end of the term of office or—

Mr. ANDERSON. Yes, sir, that is correct. It would be a suitable provision for the Former Presidents Act to move personal effects to the office that is authorized.

Chairman ROTH. You also made some recommendations with respect to government planes.

Is there really any reason for the taxpayer to pay for anything but official travel by the former President?

Mr. ANDERSON. Good question, sir, and I am not prepared to speak to that. I know that there is a provision for travel, as you are well aware. I don't think the present legislation makes a distinction as to what represents official or unofficial travel in that office, as it has been termed, of the former President.

Nye or Ken?

Mr. STEVENS. I think the bill in question, sir, certainly does state that travel for political purposes or for purely private monetary purposes would not be included under that act.

Chairman ROTH. But you only have two situations:

I think most of the former Presidents have something like \$30,000 in travel expenditures, if I recall correctly.

Mr. STEVENS. By appropriation language only.

Chairman ROTH. I assume those are costs by commercial plane or possibly by car and so forth but would not include travel on a Government plane?

Mr. MEAD. Not unless, Mr. Chairman, the former President was asked to accompany the incumbent President on a matter of official business.

Mr. ANDERSON. That is one of the recommendations we make in our detailed statement, sir. Currently, in fact, it has happened. The President has authorized the use of military aircraft for a former President, and the cost of that has been absorbed by the military department involved. We believe that very specific provision should be made for charging those expenditures to the former President's appropriation.

Chairman ROTH. Is that where the former President is performing some function for the President or Government?

Mr. STEVENS. No. It is sending him home, for instance.

Chairman ROTH. Sending him home?

Mr. STEVENS. Yes, sir.

Chairman ROTH. Do you mean at the end of his term?

Mr. STEVENS. Yes.

Chairman ROTH. Is that the only time it arises, or is this a general practice?

Mr. STEVENS. The incumbent President has the ability to authorize it at any time.

Chairman ROTH. I see.

Senator Chiles?

Senator CHILES. One of the things that we are trying to do in S. 1325 is to prevent taxpayer funds from being used for partisan political purposes by the incoming President or for private income generating purposes.

The office staff is given to the President so that matters can be directly dealt with by the incoming President. Use of other moneys for personal service would be inappropriate. At times I recognize that with regards to many items, it would be a tough judgment call. But however, items can be set up to make it easier to determine whether the taxpayers should foot a bill for a particular activity.

You have done studies for former Presidents' activities, and, of course, GAO has considerable accounting expertise.

What considerations would you use to establish a system to separate the kind of costs, how would you check on such an operation and, more importantly, could such a system be set up?

Mr. ANDERSON. I thought the point was well made here earlier that they don't have timecards or anything or a specific accounting by the staff that works for the former President.

I am really not sure how feasible it would be to do something like that, sir. When you are talking about direct revenue producing activities, as the bill makes out, well, that distinction is made there. I just don't know. I think it would be extremely difficult. It is something we haven't given any thought to.

We would be glad to at your request, but I think it would be extremely difficult to try, given the small size of the staff, to try to develop an accounting that precise of what these people are doing.

Senator CHILES. That is all the questions I have.

I want to thank you all for your statements and the work that you have done in this area. Your testimony certainly has a different flavor from most of what we have heard today.

I think yours is a much more impartial look at S. 1325, and I thank you very, very much.

Mr. ANDERSON. Thank you, Senator.

Chairman ROTH. Thank you, gentlemen.

[Mr. Anderson's prepared statement and responses to written questions submitted by Senators Roth and Chiles follow:]

STATEMENT OF WILLIAM J. ANDERSON, DIRECTOR, GENERAL GOVERNMENT DIVISION

Mr. Chairman and Members of the Committee, I am pleased to be here today to present our view and recommendations on proposed changes in the law that specify benefits granted to former Presidents of the United States.

The views I am presenting today do not represent new work on the part of GAO. At the request of this Committee and other Committees of Congress, we have devoted a substantial amount of time and effort during the past several years to the conduct of Presidential transitions and to auditing expenditures under the Former Presidents Act.

In keeping with the focus of today's hearing, I shall confine my remarks to aspects of the law that relate to the affairs of Presidents after they have left office, and not delve into equally important questions relating to incoming Presidential transition operations.

The two principal sources for my testimony today are (1) our report on the "Audit of Ford-Carter Presidential Transition Expenditures" (GGD-78-36, December 23, 1977), and work done for our testimony before the Treasury, Postal Service, and General Government Subcommittee of the Senate Committee on Appropriations on November 6 and 7, 1979. I should make clear at the outset that although we have audited several aspects of the incoming Reagan/Bush transition operations in 1981 at congressional request, that audit did not include the outgoing transition operations of former President Carter and former Vice President Mondale.

Many of the conclusions and recommendations of the 1977 report and the 1979 testimony are incorporated in the provisions of S. 1325, which the Committee has under consideration today. I would like to address several of the amendments and reforms incorporated in S. 1325, and also mention several issues which are not covered in the bill but which in our view should also be considered by the Committee. We provided written comments on S. 1325 in an August 10, 1981, letter to the Committee.

PRESIDENTIAL LIBRARIES

The bulk of public expenditures relating to former Presidents are incurred under provisions of the Presidential Libraries Act enacted in 1955. It is clear that a rather modest concept of a Presidential Library prevailed at the time the act was passed by Congress. Testimony that year by the Archivist of the United States on the need for the legislation emphasized that the primary purpose of the libraries was to bring together, preserve, and maintain Presidential papers for scholarly research. The two libraries existing at that time were relatively limited in size: The Hoover Library was 25,000 square feet, and the Roosevelt Library was 39,000 square feet. It was estimated by Archives officials during the 1955 hearings that at the end of 100 years—if 15 Presidential libraries were constructed and given to the Government—the annual net maintenance and operating cost would be about \$1.5 million for all 15 libraries.

What has happened since passage of the act? We now have seven Presidential libraries, and the fiscal year 1983 budget requests \$15.3 million for their operation and maintenance. The initial size of new library buildings gets larger, and existing libraries continue to grow through construction of new additions.

The Johnson Library is 100,000 square feet, and the Kennedy Library is 90,000 square feet. The Ford Library is actually two 40,000 square-foot buildings: the Library at Ann Arbor and the Museum at Grand Rapids. Archival storage space, maintained for the use of academic researchers, typically occupies much less space than that given over to museum uses.

We stated in 1979 that the size, uses, and thus the costs of most Presidential libraries exceed what was anticipated at the time the Presidential Libraries Act was passed. We believe that title I of S. 1325, in setting for the first time a limit to the size of a Presidential archival depository, is responsive to this concern. The 40,000 square-foot limit on the depository size should be adequate to accomplish the primary mission of a Presidential library to preserve Presidential papers and make them available for research, while allowing for a modest and carefully planned museum.

APPLICATION OF THE PRESIDENTIAL TRANSITION ACT

We pointed out in our 1977 audit of Ford-Carter Transition expenditures that both the Former Presidents Act and the Presidential Transition Act authorize similar forms of assistance to a President leaving office, and that there were minor inconsistencies between the two statutes. Senate bill 1325 adopts the report's recom-

mendation that section 4 of the Transition Act be repealed, so that the Former Presidents Act will govern arrangements for outgoing Presidents and the Transition Act will deal only with incoming transition operations. For all intents and purposes, the transition period is over when a new President takes the oath of office.

As a result of this change, funds would have to be available under the Former President Act as soon as the outgoing Administration leaves office. There is a natural reluctance on the part of an Administration headed by a President running for re-election to request funds in the budget that would be used only if he is defeated. We believe that a provision should be added to S. 1325, comparable to that in the Transition Act, that requires a President to request an appropriation for each fiscal year in which his term will expire. This provision should require the President to include in the budget transmitted to the Congress for the fiscal year in which his regular term of office expires a proposed appropriation providing sufficient funds to carry out the provisions of the Former Presidents Act as it would apply to him and the incumbent Vice President.

APPROVAL OF EXPENDITURES

We also recommended that the bill specify that expenditures under the Former Presidents Act would have to be approved in advance by the Administrator of General Services, except for minor cash expenses that would be handled on an imprest basis. Our audit of the Ford-Carter transition revealed problems associated with the deposit of Transition Act funds in private checking accounts under control of the various transition staffs. This practice affected GSA's ability to control public funds for which it was responsible.

SHIPMENT OF PERSONAL EFFECTS

Questions have been raised in the past as to whether the government clearly has the authority to move the personal effects of the former President and Vice President and their families to their new permanent residences. If it is the Committee's intent that the government bear these costs, we recommend that statutory language be included in the bill to clear up the uncertainty and specifically authorize such shipments.

SECRET SERVICE PROTECTION

Next to the cost of Presidential libraries, the provision of Secret Service protection to former Presidents, Vice Presidents, and their families has resulted in the greatest growth of costs related to former Presidents. S. 1325 would restrict the authorization of such protection, particularly for family members and for former Vice Presidents, which should constrain the costs of protection in future years.

We note that the bill requires the Comptroller General to appoint the members of an Advisory Panel on Secret Service Protection which will review requests for extended or reinstated Secret Service protection beyond the statutory provisions. Although this does not stem from a General Accounting Office recommendation, and is an unusual role for the Comptroller General, we have no objection to it as long as the Comptroller General has no role in the activities of the Advisory Panel.

We believe that two additions to the bill would help promote the orderly conduct of the Advisory Panel's business. First, a provision would be added to specify the manner of selection of the Panel's chairperson, a subject on which the present text of S. 1325 is silent. Second, in view of the sensitive nature of the Panel's responsibilities and of the information which it will need to make judgments, we recommend that the organization be exempted from the requirements of the Federal Advisory Committee Act (P.L. 92-463).

SPOUSAL PENSIONS

We have recommended that the present law specifying the allowance for a spouse of a deceased former President be changed. A 1971 amendment to the Former Presidents Act set this allowance at a flat rate of \$20,000. This provision is the only survivor provision remaining in Federal retirement system law specifying a flat rate allowance.

Section 201 of S. 1325 does adopt our recommendation to base the surviving spouse's allowance on a percentage of the annual rate provided to former Presidents. This rate has been tied since 1971 to the level of a Cabinet officer's salary, which may be adjusted from time to time as needed.

The proposed rate is two-thirds of the annual allowance provided to a former President. It might be noted that this rate exceeds the survivor's benefit proportion

of the retiree's allowance under other Federal retirement systems. Under the civil service, foreign service, and military retirement systems, the maximum annuity payable to a surviving spouse is equal to 55 percent of a deceased former employee's earned pension. The Federal judicial retirement system provides that surviving spouses of Federal judges receive no more than 40 percent of the average of the judge's three highest years salaries. The spousal pension proposed in S. 1325 is obviously more generous than these plans, but we are in no way implying that it should be cut back. The Office of President obviously warrants special consideration.

DETAILS OF FEDERAL EMPLOYEES

The Former Presidents Act does not authorize the detailing of Government employees to assist a President after he leaves office. S. 1325 is consistent with our recommendations that such detailing of Federal employees be authorized on a reimbursable basis, except that it provides no time limits on this authority. We have recommended that this authority be limited to the duration of the fiscal year in which the President leaves office. This 8½ month period is the time when a former President experiences a high level of activity and requires a large staff for immediate transition purposes. After the initial transition period, a former President's staff needs should stabilize and be met by permanent staff members. Therefore we repeat our recommendation that the authority of employee details be limited to the duration of the fiscal year in which the transition occurs.

TRAVEL PROVISIONS

The provision in section 202 of S. 1325 authorizing payment of travel expenses for a former President and members of his staff is responsive to our recommendation that this subject should be covered by authorizing legislation, rather than through appropriations language as is currently the case.

The bill is silent, however, on another recommendation GAO has made relating to the use of Government or chartered aircraft by a former President. Although the Justice Department has determined that such aircraft could be assigned to a former President for either official or personal purposes, we do not believe that the President has the authority to assign military aircraft to a former President without reimbursement. We have also questioned the practice of depositing collections from the Secret Service for chartered aircraft travel with a former President to miscellaneous receipts.

To clarify the authority for the use of military or chartered aircraft by a former President, the appropriation to be charged, and the disposition of any receipts from the Secret Service and others accompanying a former President, we recommend the addition of a provision stating, in essence, that, When authorized by the President, Government aircraft may be used by a former President for transition purposes. When deemed necessary for protective purposes chartered aircraft may also be used by a former President in winding up the affairs of his Presidency. The cost of either Government or chartered aircraft would be paid with Former Presidents Act funds and any collections from the Secret Service or others for the use of space on chartered flights deposited to the credit of the Former Presidents Act appropriations.

That concludes my prepared statement, Mr. Chairman. I would be pleased to respond to any questions you or members of the Committee may have.

RESPONSES TO WRITTEN QUESTIONS SUBMITTED BY SENATOR ROTH

Question 1. Should there be a limitation on the amount of square footage for a former President's office space? Do you have current figures on this office space allotted to Presidents Nixon, Ford and Carter?

Answer. The Former Presidents Act now states only that a former President shall be provided "suitable" office space appropriately furnished and equipped. We agree that more specific criteria would assist the General Services Administration in judging the appropriateness of office space allotments. In view of the variability of rental costs around the country, a space limitation seems more practical than a dollar limitation. GSA informs us that former President Carter's office space measures 6,062 square feet, former President Ford's is 3,203 square feet, and Former President Nixon's is 4,625 square feet.

Question 2. Does GAO have any data regarding the costs of travel for former presidents and their staff?

Answer. We last audited the expense claims of former Presidents in 1979 ("GSA Approval of Expenditures Under the Former Presidents Act Has Been Reasonable,"

September 10, 1979, GGD-79-86). We do not have more current data on travel expenses. We did determine in the 1979 audit that former President Ford had several times violated the restriction in appropriation language against paying the travel costs of more than two staff members on one trip. Former President Ford's office agreed to return \$2,540.71 that has been improperly claimed and paid.

Question 3. Has GAO ever disallowed any expenditures for office equipment, travel or other benefits for former Presidents?

Answer. Our 1979 report detailed some office expense claims that were "unusual in terms of what would normally be provided for a Government office." But we concluded that GSA had been reasonable in its interpretation of the authority to provide "suitable space appropriately furnished and equipped," given the lack of more specific statutory guidelines. Only on the staff travel item mentioned in the previous response did we recommend a repayment to the Government.

Question 4. Do you think former Presidents should be required to report annually to the Congress on their expenditures?

Answer. GSA's annual budget justification already breaks down annual expenditures under the Former Presidents Act by President and by object class. We see no reason why an additional report is needed.

RESPONSES TO WRITTEN QUESTIONS SUBMITTED BY SENATOR CHILES

Question 1. You recommended modifying S. 1325 to insure that the bill covers other areas related to former Presidents' services and benefits, such as the shipment of personal effects and the handling of aspects of the Presidential transition period.

In line with that, could you please provide the committee with the legislative language which you feel is needed to implement the changes that you recommend?

Answer. Suggested revision to S. 1325 as follows:

1. *Former President's Use of Government Aircraft.*—P. 10, line 22—following "title" insert the following: "When authorized by the President, government aircraft or government chartered aircraft may be used by a former President to assist him in winding up the affairs of his or otherwise as required for protective purposes. The costs allocable to the use of such aircraft under this Act shall be paid with Former President's Act funds and any collections from the Secret Service or others for the use of space on government aircraft or government chartered aircraft deposited to the credit of the Former President's Act appropriation."

2. *Movement of Household Goods and Personal Effects.*—P. 11, line 5—add new subsections (F) and (G), to read as follows: "(F) movement of the personal effects and household goods of a former President and his family from Executive Residence in Washington, D.C. to a location in the United States selected by him; (G) movement of the personal effects and household goods of a former Vice-President and his family from their residence at the seat of government to a location in the United States selected by him"

3. *Details to Former President's Staff.*—P. 11, line 7—add a comma after "involved" and insert: " * * * provided that such details shall not extend beyond the eight month and ten day period following the date on which the President leaves."

4. *Prohibited Expenditures.*—P. 13, line 4—insert a comma following "activities" and insert: " * * * as determined under standards established by the Administrator."

5. *Approval of Expenditures.*—P. 13, line 5—add a new subsection "(h)" and redesignate the succeeding subsections accordingly:¹ "(h) Except for expenditures from an imprest fund consisting of such amounts as the Administrator shall determine any expenditure of funds under this Act may be made only with the prior approval of the Administrator or his designee."

6. *Budget Proposal.*—P. 15, line 13—subsection (5) is redesignated subsection (6); add new subsection (5) to read as follows: "(5) The President shall include in the budget transmitted to the Congress for the fiscal year in which his regular term of expires, a proposed appropriation providing sufficient funds to carry out the provisions of this Act as it would apply to him and the Vice President."

7. *Exemption From Advisory Committee Act.*—P. 20, line 20—following "granted" add the following new sentence: "Proceedings and deliberations of the Advisory Panel and Advisory Committee shall be exempt from those provisions of the Federal Advisory Committee Act, Pub. L. No. 92-463, 86 Stat. 770, as amended, that require open meetings, public disclosure, or notifications to the public."

¹ Suggest legislative history indicate committee's intent that imprest fund be modest in size and that the total authorized balance be set at the lowest practicable amount.

Question 2. In your testimony, you commented on the advisory panel that is established in S. 1325. The Bill itself cuts off Secret Service protection for former Presidents after they have been out of for eight years, but protection can be re-instated in times of threat with the approval of the panel. The reason that we used the panel idea in S. 1325 was to make sure that an independent body would make decisions on re-instating secret service protection. If we left that decision within the Treasury Department, we felt that protection would never be lifted.

A. What are your thoughts about the general notion that these types of decisions should be made by an independent body?

We established an independent panel for re-instating Secret Service protection for former Presidents because we felt that it would be difficult, if not impossible, for a single person who had so much authority over Secret Service protection to cut it off. It was a no win situation.

On the other hand, an independent body, outside the established chain of authority might be better suited to make these kinds of decisions.

B. If Congress decides to cut back on Secret Service protection for former Presidents and their families, what are your thoughts on the best way to handle the many concerns that go into a decision to cut off or re-instate such protection?

Answer. A. In general, we favor specific assignment of responsibility to Executive branch officials for making discretionary judgments of this nature, with clear lines of authority and accountability. Creation of an independent body to make these judgments would dilute the Department of the Treasury's authority and accountability for providing Secret Service protection and could extend the time for making such judgments. We believe that there is room for independent outside counsel, but it should be advisory only (as is presently the case with the Advisory Committee used in Presidential campaign years to recommend which candidates are of sufficient stature to warrant protection, under Public Law (90-331).

B. At present, the law allows no discretion for the Secretary of the Treasury to cut off protection when, in his judgment, it is no longer needed. While this is admittedly a difficult decision, the authority to make it should be granted. We have also recommended that any panels established to render judgments or advise on Secret Service Protection should be exempted from provisions of the Advisory Committee Act, in view of the sensitive nature of the information and intelligence on which their judgments will be based.

Question 3. One of the things we try to do in S. 1325 is to prevent taxpayer funds from being used by former Presidents for partisan political purposes or for income generating purposes. The staff allowances provided for former Presidents are given so that a President will be able to deal with matters directly resulting from his service as President. The use of public money for other purposes would be inappropriate.

At times, I recognize that individual items would be tough judgement calls. However, I believe that guidelines could be set up which would make it easier to determine whether the taxpayer should foot the bill for a particular activity.

GAO has done studies on former Presidents' activities and, of course, GAO as an organization has considerable accounting and auditing expertise.

What considerations would you use to establish a system to separate these different kinds of costs; how would you check on the operation, and most importantly, could such a system be set up at all?

Answer. It would indeed be difficult but not impossible to segregate allowable from prohibited activities in an organization where both are carried on daily and interchangeably. For instance, it is likely that the same typewriters and secretaries will be used for responding to public mail as for accepting campaign invitations. The same speechwriter will work on speeches to political gatherings, trade conventions, memorial services, and university audiences.

However, the former President's chief of staff, with GSA's advice and cooperation, could estimate the percentage of staff time and other resources devoted to each of these activities and segregate expenses accordingly. Ultimately, the ability to audit such distinctions will depend heavily on the cooperation of the staffs involved, and on the definitions that are used to guide their behavior. We have found it comparably difficult, though not impossible, to audit the "political" and "official" expenses on incumbent Presidents in campaign years. The willingness of the staffs involved to raise questions often and resolve doubts in favor of the taxpayer to avoid even the appearance of impropriety has been an important factor.

With regard to the definitions in S. 1315, we believe it would be advantageous to specify "partisan political activities and income generating activities" as prohibited expenses. These words have fairly well established meanings, since they are prohibited activities for Federal employees in general.

We are more skeptical of the usefulness of the bill's definition of allowable expenses as those arising from "activities which are the direct result of (a) former Presidents having held the Office of President." The political, autobiographical, and board membership interests in a former President certainly stem in large part from the he once held, though reimbursement for such activities would seem to be prohibited by the next clause. On the other hand, a more specific definition of allowable activities might be tantamount to specifying the role we expect a former President to play in return for the assistance he is given.

Chairman ROTH. The committee is in recess.

[Whereupon, at 12 p.m., the committee recessed, to reconvene at the call of the Chair.]

97TH CONGRESS
1ST SESSION

S. 1325

To reform the laws relating to former Presidents.

IN THE SENATE OF THE UNITED STATES

JUNE 4 (legislative day, **JUNE 1**), 1981

Mr. CHILES (for himself, Mr. PRYOR, Mr. BURDICK, Mr. COHEN, Mr. DeCONCINI, Mr. GOLDWATER, Mr. HOLLINGS, Mr. HUDDLESTON, Mrs. KASSEBAUM, Mr. LUGAR, Mr. METZENBAUM, Mr. PROXMIRE, Mr. SASSER, and Mr. STAFFORD) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To reform the laws relating to former Presidents.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Former Presidents Facili-
4 ties and Services Reform Act of 1981".

DEFINITIONS

6 SEC. 2. For purposes of this Act, the term “former
7 President” means an individual—

8 (1) who has held the office of President of the
9 United States of America;

1 (2) whose service in such office has terminated
2 other than by removal pursuant to section 4 of article
3 II of the Constitution of the United States of America;
4 and

5 (3) who does not currently hold such office.

6 **TITLE I—PRESIDENTIAL LIBRARIES**

7 **PRESIDENTIAL ARCHIVAL DEPOSITORIES**

8 SEC. 101. (a) The first paragraph of section 2101 of
9 title 44, United States Code, is amended by inserting before
10 the semicolon a comma and “and may include research facili-
11 ties and museum facilities in accordance with this chapter”.

12 (b) Section 2108(a) of such title is amended to read as
13 follows:

14 “(a)(1) When the Administrator of General Services
15 considers it to be in the public interest he may, in accordance
16 with the provisions of this subsection, accept for and in the
17 name of the United States, land, buildings, and equipment
18 offered as a gift to the United States for the purpose of creat-
19 ing a Presidential archival depository, take title to the land,
20 buildings, and equipment on behalf of the United States, and
21 maintain, operate, and protect them as a Presidential archi-
22 val depository and as a part of the national archives system.

23 “(2) The Administrator, in consultation with the Archi-
24 vist of the United States and Commissioner of the Public
25 Buildings Service, shall promulgate architectural and design

1 standards applicable to Presidential archival depositories in
2 order to ensure that such depositories (A) preserve Presiden-
3 tial records subject to chapter 22 of this title and papers and
4 other historical materials accepted for deposit under section
5 2107 of this title and (B) contain adequate research facilities.

6 “(3) The Administrator shall accept and take title to
7 only such land, buildings, and equipment under paragraph (1)
8 as are necessary to establish, for each President or former
9 President, a single Presidential archival depository in one
10 building not in excess of forty thousand square feet in one
11 geographic location, including museum space.

12 “(4) The Administrator may make agreements, in ac-
13 cordance with the provisions of this paragraph and paragraph
14 (5) and upon such other terms and conditions he considers
15 proper, with a State, political subdivision, university, institu-
16 tion of higher learning, institute, or foundation to use as a
17 Presidential archival depository land, buildings, and equip-
18 ment of the State, subdivision, university, or other organiza-
19 tion, to be made available by it without transfer of title to the
20 United States. Any such agreement shall provide that any
21 such Presidential archival depository shall, for each President
22 or former President, be one building not in excess of forty
23 thousand square feet in one geographic location, including
24 museum space.

1 “(5)(A) Prior to accepting and taking title of any land,
2 buildings, and equipment under paragraph (1), and prior to
3 entering into any agreement under paragraph (4) or any
4 other agreement to accept or establish a Presidential archival
5 depository, the Administrator shall submit a prospectus for
6 the proposed Presidential archival depository to the Commit-
7 tee on Governmental Affairs of the Senate and the Commit-
8 tee on Government Operations of the House of Representa-
9 tives. The prospectus shall include—

10 “(i) a description of the land, buildings, and equip-
11 ment offered as a gift or to be made available without
12 transfer of title;

13 “(ii) a statement of the terms of the proposed
14 agreement, if any;

15 “(iii) a general description of the types of records,
16 papers, documents, or other historical materials pro-
17 posed to be deposited in the Presidential archival de-
18 pository so to be created, and of the terms of the pro-
19 posed deposit;

20 “(iv) a statement of the additional improvements
21 and equipment, if any, necessary to the satisfactory op-
22 eration of the depository, together with an estimate of
23 the cost; and

1 “(v) an estimate of the annual cost to the United
2 States of maintaining, operating, and protecting the
3 depository.

4 “(B) Except as provided in subparagraph (C), the Administrator
5 may take title to land, buildings, and equipment
6 under paragraph (1) or enter into an agreement under paragraph
7 (4) or any other agreement to accept or establish a
8 Presidential archival depository unless, within sixty days of
9 continuous session of Congress after the date on which a prospectus
10 is submitted under subparagraph (A), both committees referred to in such
11 subparagraph adopt a resolution stating that the committee disapproves
12 the prospectus submitted under such subparagraph for the Presidential
13 archival depository to be established with such land, buildings, and
14 equipment or pursuant to such agreement.

16 “(C) If a Presidential archival depository to be accepted
17 or established with land, buildings, and equipment under
18 paragraph (1) or pursuant to an agreement under paragraph
19 (4) or any other agreement to accept or establish a Presidential
20 archival depository has not been disapproved under subparagraph
21 (B) and does not comply with the architectural and design standards
22 promulgated pursuant to paragraph (2), the Administrator may not
23 accept or take title to such land, buildings, and equipment and may
24 not enter into any such agreement unless a concurrent resolution of the
25 Congress is

1 adopted which approves the acceptance or establishment of
2 such depository.

3 “(6) No physical or material changes in or additions to a
4 Presidential archival depository may be made unless—

5 “(A) the Presidential archival depository, after
6 any such change or addition, complies with the archi-
7 tectural and design standards established pursuant to
8 paragraph (2), except that any change or addition
9 which will cause a Presidential archival depository not
10 to comply with such standards may be made if—

11 “(i) such change or addition has not been
12 disapproved under subparagraph (C); and

13 “(ii) a concurrent resolution of the Congress
14 approving such change or addition is adopted;

15 “(B) the Presidential archival depository, after
16 any such change or addition, is one building not in
17 excess of forty thousand square feet in one geographic
18 location, including museum space; and

19 “(C) the Administrator submits a prospectus for
20 any such change or addition and, within sixty days of
21 continuous session of Congress after the date on which
22 the prospectus is submitted, both committees of Con-
23 gress referred to in subparagraph (A) of paragraph (5)
24 have not adopted resolutions disapproving such change
25 or addition.

1 “(7) For the purpose of this subsection—

2 “(A) continuity of session is broken only by an ad-
3 journalment of Congress sine die; and

4 “(B) the days on which either House is not in
5 session because of an adjournment of more than three
6 days to a day certain are excluded in the computation
7 of any period of time in which Congress is in continu-
8 ous session.

9 “(8)(A) The Administrator may provide technical assist-
10 ance to any private organization or institution establishing a
11 museum or memorial for a President or former President and
12 may provide such institution with microfilm copies of histori-
13 cally significant Presidential and personal records contained
14 in a Presidential archival depository.

15 “(B) For purposes of this paragraph—

16 “(i) the term ‘Presidential records’ has the same
17 meaning as in section 2201(2) of this title; and

18 “(ii) the term ‘personal records’ has the same
19 meaning as in section 2201(3) of this title.”.

20 DISPOSAL OF PRESIDENTIAL RECORDS

21 SEC. 102. Section 2203(c) of title 44, United States
22 Code, is amended to read as follows:

23 “(c) During his term of office, the President shall sub-
24 stantially complete the disposal of his Presidential records
25 which no longer have administrative, historical, informational,

1 or evidentiary value. Prior to disposing of any such records,
2 the President shall obtain the written views of the Archivist
3 concerning the proposed disposal of such Presidential records
4 and may not dispose of any records with respect to which the
5 Archivist notifies the President that he intends to take action
6 under subsection (e).”.

7 EFFECTIVE DATE

8 SEC. 103. The amendments made by this title shall take
9 effect on January 20, 1983.

10 TITLE II—FORMER PRESIDENTS

11 SPOUSAL PENSIONS

12 SEC. 201. Subsection (e) of the first section of the Act
13 entitled “An Act to provide retirement, clerical assistants,
14 and free mailing privileges to former Presidents of the United
15 States, and for other purposes”, approved August 25, 1958
16 (72 Stat. 838; 3 U.S.C. 102 note) is amended to read as
17 follows:

18 “(e) The spouse of a deceased former President shall be
19 entitled to receive from the United States a monetary allow-
20 ance at a rate per annum, payable monthly by the Secretary
21 of the Treasury, which is equal to two-thirds of the rate
22 which is payable under subsection (a) to a former President.
23 The monetary allowance of such spouse—

24 “(1) commences on the day after the former
25 President dies;

1 “(2) terminates on the last day of the month
2 before such spouse—

3 “(A) dies; or

4 “(B) remarries before becoming sixty years
5 of age; and

6 “(3) is not payable for any period during which
7 such spouse holds an appointive or elective office or
8 position in or under the Federal Government or the
9 government of the District of Columbia to which is at-
10 tached a rate of pay other than a nominal rate.”.

11 OFFICE AND STAFF FOR FORMER PRESIDENTS

12 SEC. 202. (a) Subsections (b) and (c) of the first section
13 of the Act entitled “An Act to provide retirement, clerical
14 assistants, and free mailing privileges to former Presidents of
15 the United States, and for other purposes”, approved August
16 25, 1958 (72 Stat. 838; 3 U.S.C. 102 note) are amended to
17 read as follows:

18 “(b)(1) The Administrator of General Services (herein-
19 after referred to as the ‘Administrator’) is authorized to pro-
20 vide to each former President, upon request, necessary serv-
21 ices and facilities, including—

22 “(A) one suitable office, not to exceed four thou-
23 sand square feet in area, appropriately equipped with
24 furniture, furnishings, office machines and equipment,
25 and office supplies, as determined by the Administra-

1 tor, after consultation with the former President or his
2 designee provided for in subsection (c), at such place
3 within the United States as the former President shall
4 designate;

5 “(B) payment of the compensation of members of
6 an office staff designated by the former President at
7 rates determined by the former President which are
8 not in excess of the rate provided for level II of the
9 Executive Schedule under section 5313 of title 5,
10 United States Code, except that notwithstanding any
11 other provision of law, persons receiving compensation
12 as members of an office staff of a former President
13 under this subsection shall not be considered to be em-
14 ployees of the Federal Government except for purposes
15 of chapters 81, 83, 87, and 89 of title 5, United States
16 Code;

17 “(C) payment of travel expenses and subsistence
18 allowances, including rental of Government or hired
19 motor vehicles, found necessary by the former Presi-
20 dent, as authorized for persons employed intermittently
21 or for persons serving without compensation under sec-
22 tion 5703 of such title;

23 “(D) communications services found necessary by
24 the former President; and

1 “(E) except as provided in subsection (f) and not-
2 withstanding the provisions of section 501 of title 44,
3 United States Code, payment of expenses for necessary
4 printing and binding.

5 “(2) Any Federal employee may be detailed to the office
6 staff of a former President on a reimbursable basis with the
7 consent of the head of the agency involved. An employee
8 detailed to the office of a former President shall be responsi-
9 ble only to the former President for the performance of his
10 duties during the period of such detail. An employee detailed
11 under this subsection is deemed, for the purpose of preserving
12 his allowances, privileges, rights, seniority, and other bene-
13 fits, an employee of the agency from which detailed, and he is
14 entitled to pay, allowances, and benefits from funds available
15 to that agency. The authorization and payment of such
16 allowances and other benefits from appropriations available
17 therefor is deemed to comply with section 5536 of title 5,
18 United States Code.

19 “(c) Each former President may designate to the Ad-
20 ministrators an assistant authorized to make on his behalf
21 such designations or findings of necessity as may be required
22 in connection with the services and facilities to be provided
23 under subsection (b).”.

24 (b)(1) Subsection (f) of such section is redesignated as
25 subsection (k).

1 (2) Such section is amended by inserting immediately
2 before subsection (k) the following new subsections:

3 “(f) Funds provided for necessary services and facilities
4 for a former President under this Act shall be used for activi-
5 ties which are the direct result of such former President
6 having held the office of President. Such funds may not be
7 used for partisan political activities or income generating ac-
8 tivities, except that a former President may use such funds
9 for the preparation of his memoirs if the former President
10 signs an agreement with the Administrator of General Serv-
11 ices which provides that such memoirs will only be printed
12 and distributed by the Public Printer in accordance with sec-
13 tion 1345 of title 44, United States Code.

14 “(g)(1) The Administrator is authorized to provide nec-
15 essary services and facilities to a former Vice President for
16 use in connection with winding up the affairs of his office.
17 Such services and facilities shall be of the same general char-
18 acter as the services and facilities provided to a former Presi-
19 dent under subsection (b). Each former Vice President shall
20 be entitled to conveyance within the United States and its
21 territories and possessions of all mail matter, including air-
22 mail, sent by him under his written autograph signature in
23 connection with his preparations for winding up of his official
24 duties as Vice President.

1 “(2) No funds for necessary services and facilities
2 provided to a former Vice President under this Act shall be
3 used for partisan political activities or income generating
4 activities.

5 “(h) The Administrator shall expend no funds for the
6 provision of services and facilities under this Act with respect
7 to a former President at any time beyond ninety days after
8 the date on which such former President dies.

9 “(i) By March 1 of each year, each former President
10 shall prepare and transmit to the Committee on Governmen-
11 tal Affairs of the Senate, the Committee on Government Op-
12 erations of the House of Representatives, and the Commit-
13 tees on Appropriations of the Senate and the House of Rep-
14 resentatives a report concerning activities carried out with
15 the assistance of the funds for necessary services and facili-
16 ties provided under this Act.

17 “(j)(1) To carry out the provisions of subsections (b) and
18 (g), there are authorized to be appropriated with respect to a
19 former President and former Vice President a total of
20 \$750,000 for the fiscal year in which the term of a former
21 President expires, except that no funds appropriated pursuant
22 to this clause shall be available for expenditure until the day
23 on which such term expires.

24 “(2) Except as provided in paragraphs (3) and (4), to
25 carry out the provisions of subsection (b) (except the provi-

1 sions of paragraph (1)(A) of such subsection) with respect to
2 each former President, there are authorized to be appropri-
3 ated to the Administrator of General Services—

4 “(A) \$300,000 for each of the first four fiscal
5 years beginning after the fiscal year in which the term
6 of a former President expired;

7 “(B) \$250,000 for the fifth and each of the three
8 succeeding fiscal years beginning after the fiscal year
9 in which the term of a former President expired; and

10 “(C) \$200,000 for the ninth and each of the suc-
11 ceeding fiscal years beginning after the fiscal year in
12 which the term of a former President expired.

13 “(3) Except as provided in paragraph (4), to carry out
14 the provisions of subsection (b) (except the provisions of para-
15 graph (1)(A) of such subsection) with respect to any individu-
16 al who is a former President on the date of enactment of this
17 subsection, there are authorized to be appropriated to the
18 Administrator of General Services—

19 “(A) \$300,000 for each of the four fiscal years
20 beginning after the fiscal year in which this subsection
21 is enacted;

22 “(B) \$250,000 for the fifth and each of the three
23 succeeding fiscal years beginning after the fiscal year
24 in which this subsection is enacted; and

1 “(C) \$200,000 for the ninth and each succeeding
2 fiscal year beginning after the fiscal year in which this
3 subsection is enacted.

4 “(4) To carry out the provisions of subsection (b)(1)(A)
5 for each former President with respect to the payment of
6 charges for furnished services, space, quarters, maintenance,
7 repairs, or other facilities made by the Administrator of Gen-
8 eral Services in accordance with section 210(j) of the Federal
9 Property and Administrative Services Act of 1949 (40
10 U.S.C. 490(j)), there are authorized to be appropriated to the
11 Administrator of General Services such sums as may be nec-
12 essary for fiscal year 1982 and each succeeding fiscal year.

13 “(5) The provisions of paragraphs (2) and (3) shall lapse
14 ten years after the date of enactment of this paragraph.”.

15 (c) Section 4 of the Presidential Transition Act of 1963
16 (3 U.S.C. 102 note) is repealed.

17 (d) Section 5 of such Act is amended to read as follows:

18 “AUTHORIZATION OF APPROPRIATIONS

19 “SEC. 5. There are hereby authorized to be appropri-
20 ated to the Administrator such funds as may be necessary for
21 carrying out the purposes of this Act, except that with re-
22 spect to any one Presidential transition not more than
23 \$2,000,000 may be appropriated for the purposes of provid-
24 ing services and facilities to the President-elect and Vice
25 President-elect under section 3. The President shall include

1 in the budget transmitted to Congress, for each fiscal year in
2 which his regular term of office will expire, a proposed appro-
3 priation for carrying out the purposes of this Act.”.

4 PUBLICATION OF PRESIDENTIAL MEMOIRS

5 SEC. 203. (a) Chapter 13 of title 44, United States
6 Code, is amended by adding at the end thereof the following
7 new section:

8 “§ 1345. Presidential memoirs

9 “The Public Printer shall cause to be printed as many
10 copies of the memoirs of a former President who has entered
11 into an agreement with the Administrator of General Serv-
12 ices under subsection (f) of the first section of the Act of
13 August 25, 1958 (72 Stat. 838) as may be necessary for the
14 distribution and sale of such memoirs. Such memoirs shall be
15 distributed and sold by the Superintendent of Documents in
16 accordance with chapter 17 of this title.”.

17 (b) The table of sections for such chapter is amended by
18 adding at the end thereof the following:

“1345. Presidential memoirs.”.

19 TITLE III—PROTECTION OF FORMER PRESI-
20 DENTS, FORMER VICE PRESIDENTS, AND
21 THEIR FAMILIES

22 SECRET SERVICE PROTECTION AUTHORIZED

23 SEC. 301. Section 3056 of title 18, United States Code,
24 is amended by striking out beginning with “protect the

1 person of a former President" through "declined" and insert-
2 ing in lieu thereof "protect the person of a former President
3 and the person of the spouse, widow, widower, or minor chil-
4 dren of a former President in accordance with sections 302
5 and 303 of the Former Presidents Facilities and Services
6 Reform Act of 1980; protect the person of a former Vice
7 President in accordance with section 304 of such Act;"

8

PROTECTION PERIOD

9 SEC. 302. (a) On or after the effective date of this title,
10 no Secret Service protection shall be provided to a former
11 President or to the spouse, widow, widower, or minor child of
12 any such former President, unless such protection is author-
13 ized by subsection (b) or is extended or reinstated by the
14 Secretary of the Treasury in accordance with section 303.

15 (b) The Secret Service is authorized to protect the
16 person of a former President after the effective date of this
17 title for a period of eight years beginning on the effective date
18 of this title or the date on which such individual becomes a
19 former President, whichever is later, and for such additional
20 periods as the Secretary of the Treasury may authorize under
21 section 303. The Secret Service is authorized to protect the
22 person of the spouse or minor child of any former President
23 after the effective date of this title to the extent that such
24 protection is incidental to the protection of such former Presi-
25 dent or if such protection is authorized by the Secretary of

1 the Treasury under section 303. The Secret Service is au-
2 thorized to protect the person of any individual who becomes
3 a widow or widower of a former President after the effective
4 date of this title for a period of six months after the date on
5 which such former President dies and for such additional pe-
6 riods as the Secretary of the Treasury may authorize under
7 section 303.

8 AUTHORIZATION OF ADDITIONAL PROTECTION

9 SEC. 303. (a)(1) After the expiration or termination of
10 Secret Service protection to a former President or the spouse
11 or minor child of a former President, and after a period of
12 time has passed since the expiration or termination of such
13 protection, the Secretary of the Treasury may authorize the
14 reinstatement of such protection—

15 (A) in the case of a former President, for one one-
16 year period; and

17 (B) in the case of the spouse or minor child of a
18 former President, for one six-month period,
19 upon a finding that a serious threat warranting such protec-
20 tion exists to the individual.

21 (2) The Secretary may extend Secret Service protection
22 reinstated under paragraph (1) or provided under section
23 3056 of title 18, United States Code, prior to the effective
24 date of this title or under section 302 after the effective date
25 of this title—

1 (A) in the case of a former President, for addition-
2 al consecutive one-year periods; and

3 (B) in the case of a spouse or minor child of a
4 former President, for additional consecutive six-month
5 periods,

6 upon the written request of the individual desiring such pro-
7 tection and upon the approval of the advisory committee es-
8 tablished by the first section of the joint resolution entitled
9 "A joint resolution to authorize the United States Secret
10 Service to furnish protection to major Presidential or Vice
11 Presidential candidates" approved June 6, 1968 (82 Stat.
12 170; 18 U.S.C. 3056 note).

13 (b) The Secretary of the Treasury shall submit any re-
14 quest for the extension of Secret Service protection under
15 subsection (a)(2) to the advisory committee referred to in
16 such subsection. The advisory committee shall review all
17 such requests with the assistance of the Advisory Panel on
18 Secret Service Protection established under subsection (c)
19 and shall transmit to the Secretary of the Treasury its deci-
20 sions regarding the extension of Secret Service protection.

21 (c)(1) There is established the Advisory Panel on Secret
22 Service Protection, which shall consist of nine members, ap-
23 pointed by the Comptroller General of the United States.
24 The Comptroller General shall appoint to the Advisory
25 Panel—

1 (A) three officers or employees of the Federal
2 Government having expertise in law enforcement activ-
3 ities, except officers or employees of the United States
4 Secret Service;

5 (B) three individuals who are prominent leaders in
6 State and local law enforcement; and

7 (C) three prominent citizens.

8 (2) Each member of the Advisory Panel shall serve for a
9 six-year term, except that the terms of the members first
10 appointed shall expire, as determined by the Comptroller
11 General at the time of appointment, three at the end of one
12 year, three at the end of two years, and three at the end of
13 three years.

14 (3) Five members of the Advisory Panel shall constitute
15 a quorum. A vacancy in the Advisory Panel shall not affect
16 its authority.

17 (4) The Advisory Panel shall review requests for Secret
18 Service protection received under this section and shall make
19 recommendations to the advisory committee referred to in
20 subsection (a) as to whether such requests should be granted.

21 (5) Each member of the Advisory Panel who is not oth-
22 erwise employed by the United States Government shall re-
23 ceive compensation at a rate equal to the daily rate pre-
24 scribed for GS-18 under the General Schedule under section
25 5332 of title 5, United States Code, for each day, including

1 traveltime, such member is engaged in the actual perform-
2 ance of duties as a member of the Advisory Panel. A member
3 of the Advisory Panel who is an officer or employee of the
4 United States Government shall serve without additional
5 compensation. All members of the Advisory Panel shall be
6 reimbursed for travel, subsistence, and other necessary ex-
7 penses incurred by them in the performance of their duties.

8 PROTECTION FOR FORMER VICE PRESIDENTS

9 SEC. 304. (a) The Secret Service is authorized to pro-
10 tect the person of a former Vice President if such protection
11 is authorized by the Secretary of the Treasury in accordance
12 with subsection (b).

13 (b) The Secretary of the Treasury may authorize the
14 provision of Secret Service protection to a former Vice Presi-
15 dent upon the written request of such former Vice President
16 and upon a finding that a serious threat warranting such pro-
17 tection exists to such former Vice President. The Secretary
18 of the Treasury may authorize the provision of such protec-
19 tion for a period beginning on the date on which the Vice
20 Presidential term of such former Vice President expired and
21 ending on the last day of the fiscal year in which such term
22 expired.

23 EFFECTIVE DATE

24 SEC. 305. This title shall take effect on October 1,
25 1982, except that after the date of enactment the Comptrol-

1 ler General of the United States may appoint the Advisory
2 Panel on Secret Service Protection established under section
3 303(c).

PRESIDENTIAL LIBRARY STUDY

General Services Administration
Office of Plans, Programs, and Financial Management
Office of Planning and Analysis

May 16, 1980

I. INTRODUCTION

The escalating costs associated with the current method of acquiring and maintaining Presidential libraries have necessitated the exploration of viable alternative methods which incorporate cost-saving features yet still satisfy fundamental needs. Within this report, the relative costs of the most commonly proposed alternative methods are estimated and compared to the corresponding costs of the current method. While it is recognized that many factors other than cost must be considered in the evaluation of alternatives, this analysis only addresses the estimation and comparison of the relative costs.

2. BACKGROUND

The Presidential Libraries Act, enacted on August 12, 1955, provides for the acceptance and maintenance of Presidential libraries. The Act authorizes the Administrator of the General Services Administration to accept for deposit the papers and other historical materials of a President, a former President, or an official of the Government, and the papers relative to or contemporary with the President or former President. Furthermore, this act permits the Administrator to accept

land, buildings, and equipment offered to the Government for a Presidential archival depository and to maintain, operate, and protect the accepted items. This acceptance is contingent upon Congressional approval.

Under the authority of the Act and with Congressional approval, the Administrator of GSA has accepted six Presidential libraries in addition to the original Roosevelt library. The libraries, their location and the corresponding year of acceptance are delineated in Table 1.

3. COST GROWTH OF PRESIDENTIAL LIBRARIES, 1955 TO 1979

In the twenty-five years since the passage of the Presidential Library Act, the cost of the library program has grown significantly. Moreover, the cost growth has been so extensive that it cannot be attributed solely to the addition of new facilities.

During the hearings on the Library Act in 1955, it was estimated, based on the costs of the Roosevelt Library, that each additional library would generate a net cost (i.e., requirement for appropriated funds) of \$100,000 annually for operation and maintenance. However, in fiscal year 1979 the costs for the six operational Presidential libraries, excluding the Ford Library and Museum, were in excess of 6 million dollars, an average of approximately 1 million dollars each.

Table 1
Presidential Libraries

	<u>Location</u>	<u>Year Accepted or Completed</u>
Roosevelt	Hyde Park, New York	1940
Truman	Independence, Missouri	1957
Eisenhower	Abilene, Kansas	1962
Hoover	West Branch, Iowa	1962
Johnson*	Austin, Texas	1971
Kennedy	Boston, Massachusetts	1979
Ford** (Library)	Ann Arbor, Michigan	1980 (Fall)
(Museum)	Grand Rapids, Michigan	1981 (Fall)

* Maintained and administered as part of the National Archival System.
The University of Texas retains ownership of the building.

** Two separate facilities and locations as indicated. Other Presidential libraries include both museum and library (archives) in one building, except for the Eisenhower Presidential Library which has separate library and museum buildings at the same location.

Average cost growth during this period is depicted in Table 2 along with the precipitating factors and their relative contribution to that growth. Table 3 presents a breakdown of their contribution to the total growth, by percent, in 1979 dollars (incorporating inflation) and 1955 dollars (excluding inflation).

Excluding the effects of inflation (1955\$), the data in Table 3 shows that the increase in the average size of a library and its associated staff accounted for 78.6% of the cost growth from 1955 to 1979. From Table 2, this factor translates to an increase of approximately \$110,000 over the original \$100,000 cost estimate. When the impact of inflation is included (1979\$), inflation alone accounted for 83.2% of the observed cost growth from 1955 to 1979.

Appendix A contains further information regarding the development of these factors.

4. FUTURE PRESIDENTIAL LIBRARIES

4.1 GENERAL

This section of the report examines several alternative Presidential library programs which could be implemented in the future and estimates their relative costs over a period of 100 years. For ease of presentation, the following topics will be presented separately:

- . A description of the basic methodology employed in the analysis and the necessary assumptions required to conduct it.

Table 2
Cost Growth Calculations
for Presidential Libraries
1955 - 1979

Original Estimate (net)	\$100,000	1955 Dollars
-------------------------	-----------	--------------

Size

1979 average library possesses 2.1 times more staff and square feet	$\begin{array}{r} \times 2.1 \\ \hline \$210,000 \end{array}$	1955 Dollars
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Additional Charges

Standard Level User Charge (SLUC) now adds approximately 10% more to program costs	$\begin{array}{r} \times 1.1 \\ \hline \$231,000 \end{array}$	1955 Dollars
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Inflation

Inflation from 1955 to 1979 was approximately 300% in this sector of the economy	$\begin{array}{r} \times 4.0^* \\ \hline \$924,000^{**} \end{array}$	1979 Dollars
--	--	--------------

* 4.0 because base (1.0) plus
300% = 4.0; thus, if you had
\$1 in 1955 you would need \$4
to equal it in 1979

** Balance of difference between \$924,000 and average of \$1,000,000 is due
to a low original estimate. A 10% error would account for the difference.
in the original estimate, the average annual personnel salary must have
been about \$2,500 or \$3,000, an extremely low figure even for that
period.

Table 3
 Contribution of Significant
 Factors by Percent
 1955 to 1979

	<u>1955\$*</u>	<u>1979\$</u>
. Inflation	0	83.2
. Increase in the average size of facility (sq. ft.) and program staff	78.6	13.2
. Standard Level User Charge (SLUC)	14.9	2.5
. Underestimation of original 1955 costs	6.5	1.1

* 1955\$ assume no inflation while 1979\$ incorporates inflation.

- . A description of the alternatives examined.
- . A step by step presentation of the actual analysis and the associated calculations.
- . A summary of the results.

4.2 BASIC METHODOLOGY AND ASSUMPTIONS

Essentially, the methodology employed in this study is rather straightforward: develop overall cost estimates for seven alternative Presidential library programs and apply comparative cost analysis techniques to the derived estimates. These alternatives are comprised of the current method of acquiring and operating Presidential libraries and the most likely, and most often considered, alternatives to that method.

The analysis covers a period of 100 years and presents the costs for twenty future Presidential libraries over this period. It excludes the cost of current Presidential libraries (see Table 1) and assumes they will remain unchanged.

The basic design of this study, i.e., the alternatives examined, the time period chosen, and the number of libraries utilized, has been intentionally structured to correspond to previous studies of this topic. However, it should be noted that some areas, e.g., the definition of alternatives, have been refined.

The primary assumptions underlying this analysis are;

- . Average length of Presidential term will be 5 years (average term of past Presidents).
- . A Presidential library or facility will be required every 5 years.
- . Individual libraries will be constructed every 5 years beginning in year 1. The last library will be built in year 96.
- . Individual libraries will operate for a full 5 years in the first period they are constructed. This assumption translates to a total of 1050 years of operation over 100 years.
- . Centralized libraries will be constructed to accommodate five Presidents every 25 years. (First centralized library large enough to accommodate five Presidents will be constructed in year 1; the last centralized library will be built in year 76.)
- . Individual Presidential libraries within the centralized library complex will be staffed for a full 5 years of operation in the first period they are operated. (Similarly, this also results in a total of 1050 library years of staff operation over 100 years. However, since some of the libraries will be vacant during the 25-year period, the actual operation and maintenance years of the physical facilities equate to 1250 Library years.)

- . Acquisition costs for alternatives similar to the current system, one library per President, would continue to be financed through private denotions.
- . Acquisition costs for centralizing alternatives would be financed by the Federal Government.
- . Program management costs above the library level are assumed to be the same under all alternatives and are not included in the cost analysis. (It is assumed that there will be an Office of Presidential Libraries with essentially the same staff and functions no matter what the alternative.)
- . Trust fund receipts and costs are treated as a constant and not included in the cost analysis. (It is assumed that the costs of providing the services covered by the trust fund, such as reproducing materials for researchers, are directly offset by the fees charged.)

4.3 PRESIDENTIAL LIBRARY PROGRAM ALTERNATIVES

Seven alternative Presidential library programs are considered in this analysis. Each of the seven alternatives falls into one of two categories: either it is a decentralized facility that is built for only one President or it is a centralized unit that houses the records of several Presidents (five in this analysis) in one unit.

The seven alternatives are:

- (1) Current Presidential Library
- (2) Current Presidential Library without Museums
- (3) Individual (NARS Model) Library
- (4) Individual (NARS Model) Library without Museums
- (5) Centralized Libraries in a Metropolitan Area
- (6) Centralized Libraries in a Non-Metropolitan Area
- (7) Centralized Libraries in a Metropolitan Area without Museums

Further details concerning these alternatives are given in Table 4.

Alternatives (1) through (4) are the decentralized facilities that are built for one President. The primary differences among these four alternatives can be traced to the presence or absence of a museum and differences in size (see Table 4).

Alternatives (5) through (7) represent the centralized facilities that would be built for five Presidents and twenty-five years of Presidential records. Again, the primary differences among these alternatives, and also between them and the decentralized or individual library alternatives, are those of size and the presence or absence of museums.

Alternative (1) and (2) represent an average of the current Presidential libraries. Since no Presidential library currently exists without an associated museum, alternative (2) was developed by the study

Table 4

PRESIDENTIAL LIBRARY PROGRAM ALTERNATIVES
(Space in Net Square Feet)

	Current Presidential Libraries (Average of Existing Facilities)	Individual Library (NARS Library) ^a	Central Library Metropolitan or Non-Metropolitan Area (Serve 5 Presidents - 25 Years of Records)	
	(With Museum)	(Without Museum) ^a	(With Museum)	(Without Museum)
Archival storage and processing	20,000	20,000	100,000	100,000
Research areas	2,300	3,000	15,000	15,000
Office space	14,000	8,000	36,000	23,000
Museum Area (exhibits)	17,000	0	42,000	0
Other space ^{***}	11,000	15,000	67,000	45,000
TOTALS	64,300	46,000	260,000	183,000

^a Represents adequate facilities for an average contemporary administration.

^{**} Assuming no change other than elimination of museums and some associated service areas.

^{***} Includes corridors and entryways, service areas, multipurpose rooms, conference rooms, and auditoriums.

group as described in Table 4.

Alternatives (3) and (4) represent a model individual Presidential library developed by the National Archives and Records Service (NARS) of the General Services Administration (GSA).

Alternatives (5), (6) and (7) are the centralized alternatives considered in this analysis. They are based on NARS - developed configuration for a centralized Presidential library. In these alternatives, the centralized library is designed for five Presidents over a twenty-five year period. (Based on past history the average term in office of a President is five years.)

Within the scope of this study, many additional alternatives could have been examined. For example, the alternative of a centralized library without a museum in a non-metropolitan area could easily have been presented. However, it turns out that the cost of this alternative is not significantly different than the cost of a metropolitan location for the same alternative. For those analysts who wish to develop different alternatives, the basic analysis and Appendices A through E provide the means to do so. To facilitate such efforts, a cost estimating relationship (CER) equation has been developed and fully described in Appendix E of this report.

4.4 COST ANALYSIS OF ALTERNATIVES

This section develops cost estimates for each of the Presidential

library alternatives. The total cost, as used here, refers to those costs incurred by the Government over a 100-year period. The components of government costs are as follow: investment, operation and maintenance, and personnel.

4.4.1 Investment (Acquisition) Costs

This item of cost is the sum of site and construction costs. The site requirements for each alternative, measured in acres, were developed in the following manner: the site size (12.7 acres) for alternative (1), the current system, is the average size of the sites of the current Presidential libraries, excluding Hoover; the site requirements for each of the other alternatives is a function of its relative size compared to alternative (1).

Construction costs for the more recent Presidential library projects (Truman, Kennedy, and Ford) were averaged to obtain a construction cost factor of \$174 per net square foot of space. This cost factor was then used to develop total construction costs using the space requirements given in Table 4.

Table 5 presents the acquisition costs (site costs plus construction) for each of the alternatives. While acquisition costs are estimated for the decentralized or individual library alternatives for comparative purposes, they are not included in the costs to the Government since they will be privately funded.

Further details regarding the developing of site and construction costs can be found in Appendix B.

Table 5

Initial Construction Costs
(FY 79 Dollars in Thousands)

	<u>Site Costs *</u>	<u>Construction Cost</u>	<u>Total</u>
1. Current Presidential Library (Average)	\$ 127	\$ 11,188	\$ 11,315
2. Current Presidential Library without Museum	100	7,708	7,808
3. NARS Model Library	120	9,744	9,864
4. NARS Model Library without Museum	80	6,612	6,692
5. Centralized Libraries in Metro Area (Cost for 4 units to cover 100 years)	6,000	45,240 (180,960)	51,240 (186,960)
6. Centralized Libraries Outside Metro Area (Cost for 4 units to cover 100 years)	2,400	45,240 (180,960)	47,640 (183,360)
7. Centralized Libraries without Museums in Metro Area (Cost for 4 units to cover 100 years)	4,000	31,842 (127,368)	35,842 (131,368)

* For the centralized libraries it is assumed that the total acres required for 100 years are acquired at the start of the program.

4.42 Operation and Maintenance Costs

The operation and maintenance costs for the building itself were estimated based on the combination of the Standard Level User Charge (SLUC) and Recurring Reimbursable Costs (RRC) assessed by the General Services Administration for current libraries.

SLUC is the rental rate that the General Services Administration assessed Federal agencies for their assigned space in GSA-controlled buildings. This rate is composed of a Fair Annual Rental (FAR) appraised rate, an escalation of this rate, and an added charge for standard protection. Recurring reimbursables are costs for services over and above those which are defined as standard. These charges are assessed based on the square footage occupied by the activity.

After average annual costs per square foot for SLUC and RRC was derived, this figure was applied to the relevant square feet of each alternative to obtain the annual operation and maintenance cost of the library building. The estimated annual costs are given in Table 6; further detail can be found in Appendix C.

4.4.3 Library - Program Personnel Costs

A review of the staffing for fiscal year 1979 of the current Presidential libraries indicated that there are an average of 8 persons per 10,000 square feet of archival and museum space. Moreover, approximately

Table 6

Estimated Standard Level
User Charges (SLUC) and
Recurring Reimbursable Charges (RRC)

	<u>Size</u>	<u>Annual SLUC and RRC Per Square Ft.</u>	<u>Annual Costs</u>
1. Current Presidential Library (Average)	64,300	8.37	\$ 538,191
2. Current Presidential Library without Museum	44,300	8.37	370,791
3. NARS Model Library	56,000	8.37	468,720
4. NARS Model Library without Museum	38,000	8.37	318,060
5. Centralized Libraries in Metro Area	260,000	8.37	2,176,200
6. Centralized Libraries outside Metro Area	260,000	8.37	2,176,200
7. Centralized Libraries without Museums in Metro Area	183,000	8.37	1,531,710

25 percent of the staff are assigned to museum functions while the remaining 75 percent are assigned to archival functions. These factors, coupled with the amount of archival and museum space per alternative, were used in developing the program staff sizes for each alternative.

Furthermore, an examination of the Civil Service grade structure of the current libraries revealed that the average grade outside a metropolitan area is apparently a GS-7 and within a metropolitan area it is a GS-8. Thus, the previously derived staff sizes were multiplied by the relevant average grade costs to estimate the annual personnel costs for the various alternatives. The results of the above procedure are summarized in Table 7 (see Appendix D for further details).

4.4.4 Overall Cost Estimates

Table 8 summarizes the 100-year cost estimates for the Presidential library program alternatives. These costs are derived by applying the appropriate total library-years (1050 or 1250) to the previously estimated annual costs and adding any initial acquisition costs as appropriate. These figures do not include the cost of current libraries.

Three major factors account for differences in the total costs, and also in the relative costs differences among the alternatives. In order of importance these are:

Table 7

Library Program Personnel Costs
(Additional Personnel Required Every Five Years
and their Annual Costs)

	<u>No. of Personnel</u>	<u>Average Grade/Cost</u>	<u>Total Annual Personnel Cost</u>
1. Current Presidential Libraries (Average)	26	7.0/\$16,398	\$426,348
2. Current Presidential Library without Museum	20	7.0/ 16,398	327,960
3. NARS Model Library	24	7.0/ 16,398	393,552
4. NARS Model Library without Museum	18	7.0/ 16,398	295,164
5. Centralized Libraries in Metro Area	23	8.0/ 17,776	408,848
6. Centralized Libraries outside Metro Area	23	7.0/ 16,398	377,154
7. Centralized Libraries without Museums in Metro Area	17	8.0/ 17,776	302,192

Table 8

Presidential Libraries Cost
Over Next 100 Years - 1979 Constant Dollars
(Excludes Current Libraries. \$ in Thousands)

	<u>Investment Costs (Construction)</u>	<u>Operations & Maintenance</u>	<u>Government Costs*</u>
1. Current Presidential Library Program 64,300 sq. ft.	(226,300)	1,012,766	1,012,766
2. Current Presidential Library Program without Museums 44,300 sq. ft.	(156,164)	733,689	733,689
3. NARS Model Library 56,000 sq. ft.	(197,280)	905,386	905,386
4. NARS Model Library without Museum 38,000 sq. ft.	(133,840)	643,885	# 643,885
5. Centralized Libraries in Metro Area 52,000 sq. ft.**	186,960	973,340	1,160,300
6. Centralized Libraries outside Metro Area 52,000 sq. ft.**	183,360	940,062	1,123,422
7. Centralized Libraries without Museums in Metro Area 36,600 sq. ft. **	131,368	700,229	831,597

* Assumes that current library program and the NARS Model Libraries would continue to be constructed by private contributions and donated to the Government. Centralized alternatives would require Federal funding completely.

** Per President

1. the size of the respective facility;
2. the presence or absence of a museum; and
3. centralized vs. decentralized libraries.

Table 9 clearly illustrates the relative effects of these three factors through the presentation of the plus and minus differences between the current method of acquiring and operating Presidential libraries (base case) and the alternatives examined.

A comparison of the base case to the NARS Model Library indicates that a reduction of 8,300 net square feet, or 12.9%, will reduce total costs by 108 million dollars or 11% over 100 years.

The impact or the elimination of museums is also very easy to see, however, it should be kept in mind that a significant part of this projected cost reduction is associated with the overall reduction in net square feet of the facility involved. Although the base case with and without museums has a cost difference of 279 million dollars or a 28% reduction, it must be remembered that total personnel costs represent approximately 50% of the total costs and museum personnel represent 25% of that 50% or approximately 12.5% of the total costs. Therefore, approximately 12.5% of the reduction is attributed to the elimination of the museum function and approximately 15.5% is related to the reduction in net square feet of space.

Table 9

SENSITIVITY ANALYSISGovernment 100 Year Costs
(FY 79 Dollars in Millions)

	<u>COST</u>	<u>DIFF</u> (% of Base)
1. Current Presidential Library Program 64,300 sq. ft.	\$ 1,013	
2. —Current Presidential Library Program without Museums 44,300 sq. ft.	734	- 279 (28%)
3. NARS Model Libraries 56,000 sq. ft.	905	- 108 (11%)
4. NARS Model Libraries without Museums 38,000 sq. ft.	644	- 369 (36%)
5. Central Libraries - Metro Area 52,000 sq. ft.*	1,160	+ 147 (15%)
6. Central Libraries - Non-Metro Area 52,000 sq. ft.*	1,123	+ 110 (11%)
7. Central Libraries - without Museums Metro Area 36,600 sq. ft.*	831	- 182 (18%)

* Per President

Finally, a comparison of the base case with the centralized alternatives indicates that centralized alternatives cost from 110 million dollars (11 percent) to 147 million dollars (15 percent) more than the decentralized alternatives even though the centralized alternatives are 12,300 net square feet smaller per President.

Recognizing the time value of money, and its importance in comparing investments, Table 10 presents the present value of the discounted cost streams of the various alternatives examined. Since the cost streams in this study were spread over 100 years, the relatively large estimates in constant FY 1979 dollars quickly become rather small. This is easy to see when it is remembered that one dollar today discounted at 10% annually has a present value of approximately 10 cents in year 25 and less than 1 cent in year 50.

The centralized alternatives with their relatively high investment costs in years one and twenty-six have the highest present value. In fact, centralized alternatives are seen to cost approximately three times as much as the decentralized alternatives.

Table 10

PRESENT VALUE OF ESTIMATES
(10% Discount Rate)
\$ in Millions

	<u>100 Year Constant 1979 \$</u>	<u>Present Value</u>
1. Current Presidential Library Program	\$1,013	\$26.5
2. Current Presidential Library Program without — Museums	734	20.0
3. Decentralized Libraries NARS Model	905	23.7
4. Decentralized Libraries NARS Model without Museums	644	16.8
5. Central Libraries Metro Area	1,160	90.0
6. Central Libraries Non-Metro	1,123	85.7
7. Centralized Libraries without Museum Metro Area	831	63.5

APPENDIX A
COST GROWTH FACTORS
1955 - 1979

An explanation of the derivation of these factors and other cost growth factors follows:

Inflation

While the general inflation between 1955 and 1979 was approximately 175 percent (based on the Consumer Price Index (CPI), inflation in the two major elements of Presidential library costs, Salaries of Personnel and Fuel and Utilities, was approximately 300 percent.* Since these cost elements represent well over 85 percent of the total cost of operating and maintaining a library it is clear that the relative impact of inflation on Presidential Libraries will be approximated by the rate of inflation for these cost elements. Therefore the factor of 300 percent is used for inflation during the period 1955 to 1979.

Inflation in the Average Size and Staff

Table A-1 depicts the average size and the number of program staff in 1955 and 1979. In 1955 only the Roosevelt Library was operating and it was 39,000 gross square feet in size with a program staff of 12. In 1979

*Government salary data from the Office of Personnel Management and the "Pay Structure" of the Federal Civil Service, March, 1979, OPM. Fuel and Utility cost data from The Statistical Abstract of the United States, 1979.

Table A-1
 Size of Presidential Libraries
 1955 - 1979
 Gross Square Feet and Program Staff

	<u>1955</u>		<u>1979</u>	
	<u>Sq. Ft.</u>	<u>Staff</u>	<u>Sq. Ft.</u>	<u>Staff</u>
Roosevelt	39,000	12	51,000	24/0*
Truman			96,000	21/1
Eisenhower			88,000	28/0
Hoover			30,000	16/1
Johnson			117,000	34/3
Kennedy			106,000	24/4
Ford			90,000	?
Average Gross Square Feet Per Library	39,000		82,000	Ratio 1:2.1
Average Program Personnel Per Library		12	24.5/1.5	1:2.1

* Part Time Employees/1

the average library was 82,600 gross square feet and had a staff of 26 (24.5 full time and 1.5 part time employee years). In terms of the 1955 library the average 1979 library is 2.1 times as large in both size and staff.

Standard Level User Charge (SLUC)

In addition to inflation and growth in size and staff, a portion of the cost growth from 1955 to 1979 may be explained by the imposition of rental rates (Standard Level User Charges (SLUC)) which were not included in the original 1955 cost estimate. In the original estimate the cost of operating and maintaining the physical facility itself to cover such items as utilities, cleaning, minor repairs, etc., was based on the actual costs. Under the current method, the SLUC represents the fair market rental value of the property and thus incorporates elements of depreciation, debt service and profit. The SLUC will therefore always be higher than the actual costs attributable to increases in the operation and maintenance of the physical plant itself.

In addition to the fact that it is generally higher than actual costs the SLUC represents a totally variable cost. As the size of a building or facility increases, the SLUC, since it is assessed by the square foot, will tend to increase in direct proportion. If a 2,000 square foot facility had a SLUC of \$20,000 annually, a 4,000 square foot facility, all other things the same, will have a SLUC of \$40,000 annually. However, the actual costs of all of the things covered by the SLUC will not have doubled. For example the number of building guards could very well be

the same for each size building.

The combination of the fair market rental value and total variability ensure that the SLUC, as applied to Presidential Libraries, overstates their actual operating and maintenance costs. In fact, it would appear that such expenses could well be less than half of the current SLUC charges, based on the fact that mortgage payments, interest, taxes and insurance appear to be approximately 50 percent of current rental rates. Since SLUC was approximately 1.3 million dollars for the total Presidential Library Program in 1979, a 50 percent reduction would be \$650,000 or about \$100,000 including inflation, for each library. This would represent approximately 10 percent of the cost growth experienced between 1955 and 1979.

Underestimating Original Costs

Finally, a part of the cost growth may be attributed to the fact that the original 1955 cost estimate for the Roosevelt library understated the actual costs. The clearest indication of this is the fact that the number of personnel identified as staffing the library in 1955 and their quoted salary costs would equate to an average annual salary of less than \$3,000 per staff member. In 1966 this would have equated to an average grade of GS-2 for the staff. Even in 1955, a grade structure this low would have been very unlikely. Therefore it is apparent that the 1955 cost estimate was understated.

While it is impossible to reconstruct the actual 1955 costs it would seem reasonable to assume that those costs were understated by a least 10 percent, particularly in light of the salary costs alone.

Summary

Inflation is the primary factor in the observed cost growth, accounting for approximately 80 percent of the growth in 1979 dollars. The next significant factor is the increase in the size (square footage) and staff of the libraries.

In terms of 1955 dollars, which assumes no inflation at all, the increase in size and staff would account for almost 80 percent of the growth. However, this would be an average increase of 1955 dollar costs of \$131,000 (\$231,000 - \$100,000) as compared to the increased costs in 1979 dollars of slightly over \$900,000 (\$1,000,000 - \$100,00), 80 percent of which is attributable to inflation.

APPENDIX B
INVESTMENT (ACQUISITION) COSTS

The investment or acquisition cost is the sum of the costs to acquire the site for the library and the construction cost for each alternative. The site requirements and total costs for each of the alternatives are listed in Table B-1. The site requirements, measured in acres, were developed in the following manner: the site size of 12.7 acres for alternative (1), the current system, is the average size of the site of the current Presidential Libraries; the site requirements for each of the other alternatives were developed as a function of the relative size of the alternative as compared to the current Presidential libraries and their associated acreage.

The construction cost per square foot for the current Presidential libraries is developed from the data in Table B-2. Data for the last three libraries (Truman, Kennedy, and Ford) were averaged to obtain a construction cost factor of \$174 per net square foot of space. This cost factor was then applied to the space allocation for the alternatives, Table B-3, to give the total construction costs that are listed in Table B-4.

Table B-5 presents the total acquisition cost for the alternatives.

Table B-1
Site Requirements and Costs
(FY 79 Dollars)

	<u>Size in Acres*</u>	<u>Cost Per Acre**</u>	<u>Total Site Cost</u>
1. Current Presidential Library (Average)	12.7	\$ 10,000	\$ 127,000
2. Current Presidential Library without Museum	10.0	10,000	100,000
3. NARS Model Library	12.0	10,000	120,000
4. NARS Model Library without Museum	8.0	10,000	80,000
5. Centralized Libraries in Metro Area	60.0 (1 unit) 240.0 (4 units)	25,000	1,500,000 6,000,000
6. Centralized Libraries outside Metro Area	60.0 (1 unit) 240.0 (4 units)	10,000	600,000 2,400,000
7. Centralized Libraries without Museums in Metro Area	40.0 (1 unit) 160.0 (4 units)	25,000	1,000,000 4,000,000

* The size of a site is a function of the alternative Library's size compared to current Presidential libraries and their associated acreage.

** Cost per acre has been assumed to be \$10,000 outside a metropolitan area and \$25,000 within a metropolitan area. This assumption is required due to the lack of specific locations for the libraries. \$25,000 an acre in a metropolitan area is a very conservative estimate (low) while \$10,000 an acre outside is relatively high.

Table B-2
Construction Costs of
Presidential Libraries
(in then Year Dollars)

<u>Year</u>	<u>Library</u>	<u>Cost</u>	<u>Sq. Ft.</u>	<u>Cost/Sq. Ft.</u>
1971	Johnson	\$10,000,000	105,000 Net 117,000 Gross	\$ 95 85
1972	Roosevelt (Expansion)	1,532,000	- 14,000 Gross	- 109
1979	Truman (Expansion)	2,667,000	19,000 Net 24,000 Gross	140 111
1979	Kennedy	12,000,000	75,000 Net 106,000 Gross	160 113
1980/81	Ford	12,000,000	59,000 Net 90,000 Gross	203 133

Table B-3
PRESIDENTIAL LIBRARY PROGRAM ALTERNATIVES
(Space in Net Square Feet)

	Current Presidential Libraries (Average of Existing Facilities)		Individual Library (NARS Library)*		Central Library Metropolitan or Non-Metropolitan Area (Serve 5 Presidents - 25 Years of Records)	
	(With Museum)	(Without Museum)*	(With Museum)	(Without Museum)	(With Museum)	(Without Museum)
Archival storage and processing	20,000	20,000	20,000	20,000	100,000	100,000
Research areas	2,300	2,300	3,000	3,000	15,000	15,000
Office space	14,000	14,000	8,000	5,000	36,000	23,000
Museum Area (exhibits)	17,000	0	10,000	0	42,000	0
Other space***	11,000	8,000	15,000	10,000	67,000	45,000
TOTALS	64,300	44,300	56,000	38,000	260,000	183,000

* Represents adequate facilities for an average contemporary administration.

** Assuming no change other than elimination of museums and some associated service areas.

*** Includes corridors and entryways, service areas, multipurpose rooms, conference rooms, and auditoriums.

Table B-4

Construction Costs
(FY 79 Dollars in Thousands)

	<u>Net Square Feet</u>	<u>Construction Cost</u> (At \$174 net square foot)
1. Current Presidential Library (Average)	64,300	11,188
2. Current Presidential Library without Museum	44,300	7,708
3. NARS Model Library	56,000	9,744
4. NARS Model Library without Museum	38,000	6,612
5. Centralized Libraries in Metro Area	52,000 (260,000)	45,240 (180,960)
6. Centralized Libraries Outside Metro Area	52,000 (260,000)	45,240 (180,960)
7. Centralized Libraries without Museums in Metro Area	36,600 (183,000)	31,842 (127,368)

Table B-5

Initial Acquisition Costs
(FY 79 Dollars in Thousands)

	Site Costs*	Construction Cost**	Total
1. Current Presidential Library (Average)	\$ 127	\$ 11,188	\$ 11,315
2. Current Presidential Library without Museum	100	7,708	7,808
3. NARS Model Library	120	9,744	9,864
4. NARS Model Library without Museum	80	6,612	6,692
5. Centralized Libraries in Metro Area (cost for 4 units to cover 100 years)	6,000	45,240 (180,960)	51,240 (186,960)
6. Centralized Libraries outside Metro Area (cost for 4 units to cover 100 years)	2,400	45,240 (180,960)	47,640 (183,360)
7. Centralized Libraries without Museums in Metro Area (cost for 4 units to cover 100 years)	4,000	31,842 (127,368)	35,842 (131,368)

114

* For the centralized Libraries it is assumed that the total acres required for 100 years are acquired at the start of the program.

** Construction cost per square foot are estimated to be the same in a Metropolitan Area as the Average Nationwide. Means, "Building Construction Cost Data - 1980" indicated a Nationwide cities cost index of 96.7. The city index for Washington, DC was 96.7 also.

APPENDIX C
OPERATING AND MAINTENANCE COSTS

The standard Level User Charge (SLUC) and the Recurring Reimbursable Costs (RRC) of the current Presidential libraries were used to estimate the operation and maintenance costs for a library alternative. The SLUC and RRC for fiscal year 1979 are listed in Table C-1, along with space requirements for each of the five current libraries. (SLUC is the rental rate that the General Services Administration assesses Federal agencies for their assigned space in GSA-controlled buildings. This rate is composed of a Fair Annual Rental (FAR) appraised rate, an escalation of this rate, and an added charge for standard protection. Recurring reimbursables are costs for service over and above those that are defined as standard.)

Table C-2 gives the annual operation and maintenance costs for each of the alternatives. These costs are based on the total SLUC and RRC rate per assigned net square foot as calculated in Table C-1.

Table C-1

PRESIDENTIAL LIBRARIES
Standard Level User Charge (SLUC) and
Recurring Reimbursable Charges (REC)

Library	Space (Square Feet)		Appropriated Funds		Appropriated Funds		Appropriated Funds	
	Gross	Assigned Net	SLUC	Fiscal Year 79 REC	Per Gross Square Foot SLUC	REC	Per Assigned Net Sq. Ft. SLUC	Total
Roosevelt	51,000	37,000	\$329,000	\$76,000	6.45	1.49	\$8.89	\$2.05 \$10.94
Truman	96,000	57,000	299,000	80,000	3.11	.83	5.25	1.40 6.65
Eisenhower	88,000	75,000	493,000	122,000	5.60	1.39	6.97	1.63 8.20
Hoover	30,000	24,000	136,000	39,000	4.53	1.30	5.67	1.63 7.30
Johnson	117,000	105,000	24,000	895,000	.21	7.65	.23	8.52 8.75
TOTAL	382,000	298,000	1,281,000	1,212,000				
Avg Cost per Sq Ft					3.35	3.17	4.30	4.07 8.37

Table C-2
 Estimated Standard Level
 User Charges (SLUC) and
 Recurring Reimbursable Charges (RRC)

	<u>Size Net Square Feet</u>	<u>Annual SLUC and RRC Per Square Ft.</u>	<u>Annual Costs</u>
1. Current Presidential Library (Average)	64,300	8.37	\$ 538,191
2. Current Presidential Library without Museum	44,300	8.37	370,791
3. NARS Model Library	56,000	8.37	468,720
4. NARS Model Library without Museum	38,000	8.37	318,060
5. Centralized Libraries in Metro Area	260,000	8.37	2,176,200
6. Centralized Libraries Outside Metro Area	260,000	8.37	2,176,200
7. Centralized Libraries without Museums in Metro Area	183,000	8.37	1,531,710

APPENDIX D
PROGRAM/PERSONNEL COSTS

A review of the actual staffing of the current libraries for fiscal year 1979 revealed that the staff size per 10,000 square feet of archival and museum area was about eight persons (Table D-1). Furthermore, about 25 percent of the staff was related to museum functions and about 75 percent to archival functions. These two staffing factors were used with the archival and museum area for each of the alternatives to estimate total staff requirement (Table D-2).

The average grade and salary for the library staff in the current libraries are given in Table D-3. The average grade for the staff is either 7 or 8, depending on the location of the library. This information, coupled with the staff requirements previously calculated for each alternative, yields an estimate of total annual personnel costs (Table D-4).

Table D-1

Archival Storage and Museum Area Related
To Program Staff - 1979

<u>Library</u>	<u>Square Feet</u>	<u>Staff</u>	<u>Average Staff Per 10,000 Sq. Ft.</u>
Roosevelt	30,000	24/0	8
Truman	33,000	21/1 (22)	7
Eisenhower	58,000	28/0	4.8*
Hoover	20,000	16/1 (17)	8
Johnson	46,000	34/3 (36)	7.8
Kennedy	32,000	24/4 (26)	8.1

OVERALL AVERAGE 8

Archives Average 75% Staff**
Museum Average 25% Staff

Note:

- * Eisenhower data was excluded from average. An examination of the holdings of the various libraries, their unit production, visitors and reserchers indicates that the Eisenhower Library is in the same range as the Roosevelt, Truman, and Kennedy libraries. This would indicate that the actual space requirement may be in the rage of 30,000 to 35,000 sq. ft. The difference between the 58,000 and the actual requirement may be a result of the library (Archives) and museum being in two seperate buildings. This would appear to be occurring with the Ford Museum and Library also.
- ** A review of actual staffing for FY 1979 indicates approximately 25% of staff for museum functions and 75% for Archives.

Table D-2
 Presidential Library
 Program Staff Requirement

	<u>Archival Storage and Museum Area</u>	<u>Staff Requirement*</u>
Current Presidential Library (Average)**	32,000	26
Current Presidential Library without Museum	20,000	20
Individual (NARS Model) Library	30,000	24
Individual (NARS Model) Library without Museum	20,000	18
Central Depository (NARS) 25 years records accumulation with Museum (For each 5 year accumulation of records)***	142,000	23*** (Total 17)
Central Depository (NARS) 25 years records accumulation without Museum (For each 5 year accumulation of records)***	100,000	17*** (Total 80)

* Developed from Table D-2 rounded to nearest whole number

** Eisenhower included but adjusted to 33,000 sq. ft. Ford Museum and Library not included

*** To recognize fact that while we may build the central depository for 25 years in terms of size the actual staff will come on board in 5 year increments.

Table D-3

Library Staffs, FY 1979
Average Grade and Salary*

<u>Library</u>	<u>Average Grade</u>	<u>Average Salary</u>	<u>Average** Cost to Govn't</u>
Roosevelt	6.6	13,818	\$ 17,411
Truman	7.0	13,014	16,398
Eisenhower	6.5	13,467	16,968
Hoover	7.0	13,014	13,398
Johnson	7.1	13,405	16,890
Kennedy	8.2	15,008	18,910
Overall average			
with Kennedy	7.1	13,621	17,162
without Kennedy	6.8	13,344	16,813

* Excludes Central Office Staff

** Salary plus 26 percent for fringe benefits (retirement, health insurance, etc) per A-76 handbook, Marych 1979.

Table D-4
Library Program Personnel Costs
(Additional Personnel Required Every Five Years
and Their Annual Costs)

	<u>No. of Personnel</u>	<u>Average Grade/Cost</u>	<u>Total Annual Personnel Cost</u>
1. Current Presidential Library (Average)	26	7.0/\$16,398	\$426,348
2. Current Presidential Library without Museum	20	7.0/\$16,398	327,960
3. NARS Model Library	24	7.0/\$16,398	393,552
4. NARS Model Library without Museum	18	7.0/\$16,398	295,164
5. Centralized Libraries in Metro Area	23	8.0/\$17,776	408,848
6. Centralized Libraries Outside Metro Area	23	7.0/\$16,398	377,154
7. Centralized Libraries without Museums in Metro Area	17	8.0/\$17,776	302,192

APPENDIX E
COST ESTIMATING RELATIONSHIP

This appendix develops cost estimating relationships (CERs) that relate the various categories of cost (previously defined in this paper) to cost explanatory variables for a Presidential library alternative. Table E-1 is a summary of the cost estimating relationships for Presidential libraries.

Let

N = time frame of the analysis

n = frequency with which library units are added to the system
(1 library unit every n years)

p = number of Presidents served by a unit

Ft^2 = net square feet of space per President

SLUC = Standard Level User Charge and recurring reimbursable rate
per net square foot.

Then, the total operating and maintenance costs (SLUC cost) for 100 years is

$$\begin{aligned}
 \text{SLUC costs} &= \sum_{i=1}^{N/n} 1(n(\text{SLUC}) (P) Ft^2) \\
 &= (n(\text{SLUC})(P)(Ft^2)) \left(\frac{N}{2n} \left(\frac{N}{n} + 1 \right) \right) \\
 &= \frac{N(N+n)}{2n} ((\text{SLUC})(P) Ft^2), \quad (1)
 \end{aligned}$$

Table E-1

Cost Estimating Relationship

$$100 \text{ Year Cost (1979)} = A + B + C$$

$$\begin{aligned} A = \text{SLUC Cost} &= 1050 (\text{SLUC}) \text{ Ft}^2, \text{ If decentralized} \\ &= 1250 (\text{SLUC}) \text{ Ft}^2, \text{ If centralized} \end{aligned}$$

$$\begin{aligned} B = \text{Personnel Costs} &= 13774 \widetilde{\text{Ft}}^2, \text{ If not Metro} \\ &= 14932 \widetilde{\text{Ft}}^2, \text{ If Metro} \\ &= 10331 \widetilde{\text{Ft}}^2, \text{ If not Metro and no Museum} \\ &= 11199 \widetilde{\text{Ft}}^2, \text{ If Metro and no Museum} \end{aligned}$$

$$\begin{aligned} C = \text{Investment Costs} &= 0, \text{ If decentralized} \\ &= 3580 \text{ Ft}^2, \text{ If centralized in Metro Area} \\ &= 3520 \text{ Ft}^2, \text{ If centralized not in Metro Area} \end{aligned}$$

where N/n is the number of library units added to the system during the N year period. (In this analysis, we assume that N is a multiple of n .)

Now, let

S_s = staff size per President

C_s = cost per staff person

C_{IS} = incremental cost per staff person if library is located in metro area

$L_1 = 1$, if library is located in metro area
 $= 0$, otherwise

Then,

$$\begin{aligned}
 \text{Personnel Costs} &= \sum_{i=1}^{NP} i \left(\frac{n}{p} (C_s + C_{IS} L_1) \right) S_s \\
 &= \frac{NP}{2n} \left(\frac{NP}{n} + 1 \right) \left(\frac{n}{p} (C_s + C_{IS} L_1) \right) S_s \\
 &= \frac{N}{2} \left(\frac{NP + n}{n} \right) (C_s + C_{IS} L_1) S_s, \quad (2)
 \end{aligned}$$

where $\frac{NP}{n}$, under above assumptions, is the number of Presidential staffs

required during N years; and $\frac{n}{p}$ the average term of a President.

Investment costs may be written as

$$\begin{aligned} \text{Investment costs} &= \text{Site cost} + \text{construction cost} \\ &= (C_A + C_{IA} L_1) S_A + \left(\frac{N}{n}P\right)(C_{Ft}^2) F_t^2 L_2 \quad (3) \end{aligned}$$

where

C_A = cost per acre of land

C_{IA} = incremental cost per acre of land in NCR

C_{Ft}^2 = construction cost per square foot

S_A = total acreage of land required for site location of all library units added to system in N years

L_2 = 1, if library is centralized (includes investment cost in total)
0, otherwise.

Therefore, total 100-years costs to the Government is given by

Total Cost = SLUC Cost + Personnel Cost + Investment Cost

In this analysis,

$$N = 100$$

$$p = 1, \text{ if decentralized}$$

$$= 5, \text{ if centralized}$$

$$C_{Ft^2} = \$174 \text{ per square foot}$$

$$C_A = \$10,000 \text{ per acre}$$

$$C_{IA} = \$15,000$$

$$C_S = \$16,398 \text{ per staff person}$$

$$C_{IS} = \$1378 \text{ per staff person}$$

$$n = 5, \text{ if decentralized}$$

$$n = 25, \text{ if centralized}$$

Thus, equation (1) becomes

$$\begin{aligned} \text{SLUC cost} &= \frac{N(N+n)}{2n} (\text{SLUC})(p)(Ft^2) \\ &= \frac{100(100+5)}{2(5)} (\text{SLUC})(1)(Ft^2) \\ &= 1050 (\text{SLUC})Ft^2, \text{ if decentralized} \end{aligned} \quad (4)$$

$$\begin{aligned} \text{SLUC cost} &= \frac{100(100+25)}{2(25)} (\text{SLUC})(5)(Ft^2) \\ &= 1250(\text{SLUC})Ft^2, \text{ if centralized} \end{aligned} \quad (5)$$

and equation (2) becomes

$$\begin{aligned}
 \text{Personnel Costs} &= \frac{N}{2} \left(\frac{NP+n}{n} \right) (C_S + C_{IS} L_1) S_S \\
 &= \frac{100(100+5)}{2(5)} (16398 + 1378L_1) S_S \\
 &= 1050 (16398 + 1378L_1) S_S, \text{ if decentralized} \quad (6)
 \end{aligned}$$

$$\begin{aligned}
 \text{Personnel Costs} &= \frac{N}{2} \left(\frac{NP+n}{n} \right) (C_S + C_{IS} L_1) S_S \\
 &= \frac{100}{2} \frac{(100(5)+25)}{25} (16398 + 1378L_1) S_S \\
 &= 1050 (16398 + 1378L_1) S_S, \quad (7) \\
 &\quad \text{if centralized}
 \end{aligned}$$

As expected, equations (6) and (7) both reduce to the same equation, since the time required for a President's staff to enter into the system is a function how long the President is in office; this fact constant across alternatives). Equation (3) for investment becomes

$$\begin{aligned}
 \text{Investment Costs} &= ((C_A + C_{IA} L_1) S_A + \frac{(NP)}{n} (C_{FT}^2) (Ft^2)) L_2 \\
 &= ((10,000 + 15,000L_1) S_A + (20(174)) Ft^2) L_2 \\
 &= ((10,000 + 15,000L_1) S_A + 3480 Ft^2) L_2 \quad (8)
 \end{aligned}$$

The total acreage of land required per President is approximately 1 acre per 5,000 net square feet of space. Therefore, the total acreage required for all library units may be written.

$$S_A = \frac{NP}{n} \frac{(Ft^2)}{5000} \quad (9)$$

Similarly, if we use the relationship of 8 persons per 10,000 square feet of archival and museums space, and reduce staffing by 25 percent for alternatives without museums, staff size becomes

$$S_S = \frac{\tilde{Ft}^2(8)}{10,000}, \text{ if library has a museum} \quad (10)$$

$$= 0.75 \frac{(\tilde{Ft}^2(8))}{10,000}, \text{ other wise} \quad (11)$$

where $\tilde{Ft}^2$ denotes the square feet of archival and museum space only for alternatives with museums. Staff size is calculated for alternatives without museums by using (11) and the $\tilde{Ft}^2$ associated with the appropriate alternative with museum.

Relations (9), (10) and (11) may be used in equations (6), (7) and (8) to give

$$\begin{aligned} \text{Personnel Costs} &= 1050(16398 + 1378 L_1) \frac{\tilde{Ft}^2(8)}{10,000} \\ &= 14932 \tilde{Ft}^2, \text{ if metro area with museum} \\ &= 13774 \tilde{Ft}^2, \text{ if outside metro area with museum} \end{aligned}$$

$$\begin{aligned} \text{Personnel Costs} &= 1050(16398 + 1378 L_1) \frac{\tilde{Ft}^2 (.75)(8)}{10,000} \\ &= 11199 \tilde{Ft}^2, \text{ if metro without museum} \\ &= 10331 \tilde{Ft}^2, \text{ if outside metro area without museum} \end{aligned}$$

$$\begin{aligned}
 \text{Investment Costs} &= ((10,000 + 15,000L_1)S_A + 3480(Ft^2))L_2 \\
 &= ((10,000 + 15,000L_1) \frac{NP}{5000} (Ft^2) + 3480(Ft^2))L_2 \\
 &= ((10,000 + 15,000L_1) \frac{(20)Ft^2}{5000} + 3480Ft^2)L_2 \\
 &= 0, \text{ if decentralized}
 \end{aligned}$$

$$\begin{aligned}
 \text{Investment Costs} &= \frac{(25,000)}{5,000} 20 Ft^2 + 3840 Ft^2 \\
 &= (100 + 3480)Ft^2 \\
 &= (3580 Ft^2, \text{ if centralized in metro area}) \\
 &= \frac{(10,000)}{5,000} 20 Ft^2 + 3480 Ft^2 \\
 &= 40 Ft^2 + 3480 Ft^2 \\
 &= 3520 Ft^2, \text{ if centralized outside of metro area.}
 \end{aligned}$$

APPENDIX F
SENSITIVITY ANALYSIS

In order to test the sensitivity of the results of the analysis to variations in key parameters or assumptions a limited sensitivity analysis was conducted.

For the purposes of this sensitivity analysis the impact of variations in (1) net square feet, (2) size of staff and (3) time period of the analysis were tested.

These parameters were chosen since they are the principal cost drivers in the basic analysis.

The sensitivity analysis was conducted for the Centralized Library in the Metro area as compared to the current Presidential Library Program. These were chosen as being most representative of the alternatives examined. In addition, across the respective "families" of alternatives, decentralized versus centralized, other alternatives could be expected to display the same relative relationships.

The methodology for this sensitivity analysis consists of varying the parameters (net square feet, staff size and time period covered in the analysis) until the life cycle costs for the more expensive alternative (Centralized Library - Metro Area) in the basic analysis are brought into line (equal or almost equal) with the current Presidential Library alternative.

The reviewer may then observe the direction and amount of change necessary in the parameter in order to equate the costs of the two alternatives.

It should be noted that all other parameters remained the same except for the one being varied (*Ceteris Paribus*). Table F-1 presents the results of the sensitivity analysis. The results may be summarized as follows:

(1) Net Square Feet

In the basic analysis the cost of the current Presidential Library Program was estimated based on an average of 64,300 net square feet per Presidential library. The cost of the Centralized Library-Metro Area was based on 52,000 net square feet per President, 12,300 square feet or 19% smaller than current Presidential libraries.

The sensitivity analysis indicates that the Centralized Library-Metro Area would have to be reduced to a little less than 42,000 net square feet per President in order for its cost to equal the cost of the current Presidential library program. A reduction of 22,300 square feet or 35% from the Presidential library average.

(2) Staff Size

The sensitivity analysis indicates that staff size would have to be reduced to a little over 15 per Presidential library in the centralized complex before the costs of that alternative would be equal to the current method.

TABLE F-1

SENSITIVITY

OF RESULTS TO CHANGES
IN SIZE, STAFF AND TIME

	<u>Current Presidential Library</u>		<u>Centralized Library (Metro)</u>	
	<u>Size</u>	<u>Costs</u> (\$ in Thousands)	<u>Size</u>	<u>Cost</u> (\$ in Thousands)
Net Square Feet				
	64,300*	1,012,766	52,000* 42,000	1,160,300 1,013,854
Staff				
	26*	1,012,766	23* 15	1,160,300 1,010,982
Time				
50 years	-	265,248		368,728
100 years**	-	1,012,766		1,160,300
150 years	-	2,242,553		2,372,317
200 years	-	3,954,610		4,007,177

* Size and staff developed and used in the basic analysis

** Time frame for basic analysis

In the basic analysis the costs for the centralized alternative were based on staffs of 23 versus 26 in the current method, 3 less per library or a reduction of 12%. Staff size would have to be reduced to 15, to equate the costs of the centralized library with the current Presidential library method.

(3) Time (Period of time over which the relative life cycle costs of the alternatives were compared)

Since the centralized alternative has higher investment costs but lower operation and maintenance costs eventually the costs of the centralized and the current method will become equal if we extend the analysis to cover enough years of life cycle costs. This occurs at the year two hundred where both alternatives have a total cost of approximately four billion dollars.

It should be noted that this additional 100 years of costs would not affect the results of the present value of the two cost streams previously presented. This is due to the fact that at a 10% discount rate the last 100 years of expenditures, in terms of this present value, are essentially free; i.e. the present value of a dollar from that period is zero (0).

The results of the sensitivity analysis indicates that the conclusions of this cost analysis are basically insensitive to major changes in the key parameters. Therefore, the relative ranking of the alternatives would remain unchanged even if the original estimates or assumptions used for the key parameters differed significantly from what could actually occur.

Presidential Library Study

Addendum

During informal briefings of the Presidential Library Study it was requested that the study group examine and address two points for further clarification. These were;

Economies of Scale. The impact on study results from assumed economies of scale attributable to centralized alternatives.

and

Acreage Requirements. The impact on the results of the study if site acreage requirements were not linear for all alternatives. (The study had assumed that a centralized library of 260,000 net square feet would require the same acreage as 5 decentralized libraries of 52,000 net square feet each or a total of 260,000 net square feet.)

This addendum addresses the above questions.

Economies of Scale

The study assumes that certain economies of scale will be present in the centralized libraries. These economies of scale are reflected in the differences in size per individual Presidential library between the decentralized and centralized alternatives. (See Table 4, Presidential Library Study).

In table 4 the relevant comparison is between the Individual Library (NARS Library) and the Central Library Metropolitan or Non-Metropolitan Area. The reduction in total net square feet, as you move from decentralized to centralized, attributable to centralized economies of scale is approximately 7%.

In terms of Current Presidential Libraries the total net square feet in the centralized facility is 19% less than the average of the current Presidential libraries.

These reductions in net square feet are then reflected in lower acquisition and operating cost. Figure A, Centralized Library Equivalents, incorporates and reflects the relative economies of scale associated with centralized libraries in the study.

Acreage Requirements

In the basic study site acreage requirements were assumed to be linear for all alternatives. In this addendum that assumption has been modified so that site acreage requirements for centralized Presidential libraries are estimated as being 50% of those for equivalent decentralized (individual) Presidential libraries.

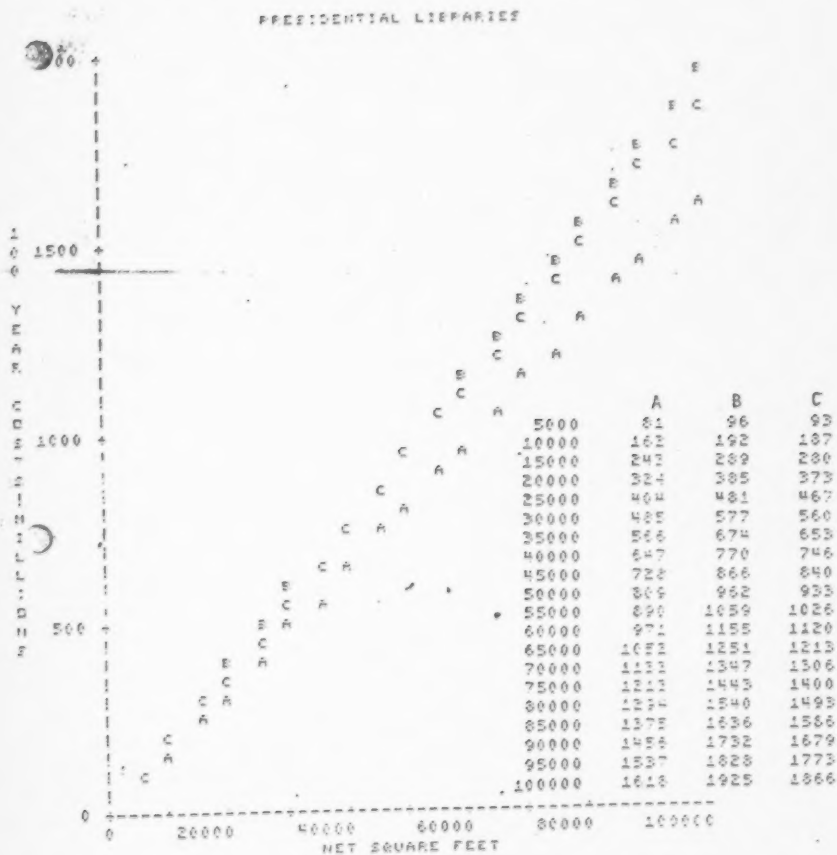
Figure A, incorporates this assumption also.

Figure A, Centralized Library Equivalents, then reflects the impact of the assumed economies of scale for centralized libraries plus a 50% reduction in site acreage requirements for centralized libraries.

From Figure A it can be determined that a centralized Presidential library alternative equivalent to a decentralized library alternative of 50,000 net square feet would have a 100 year life cycle cost (constant FY 1979 dollars) of 962 million dollars in a metropolitan area or 933 million dollars in a non-metropolitan area.

Likewise a centralized Presidential library equivalent to a decentralized library of 30,000 net square feet would have 100 year life cycle costs of 577 million dollars and 560 million dollars for metropolitan and non-metropolitan locations respectively.

Figure A
Centralized Library Equivalents*



A - Decentralized

B - Centralized (2 presidents), Metro

C - Centralized (2 presidents), Non-Metro

*Columns B and C represent the costs of equivalent centralized libraries to those in column A based on a 7% reduction in net square feet and a 50% reduction in site acreage.